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## JANUARY MEETING, 1915.

THE stated meeting was held on Thursday, the 14th instant, at three o'clock, P. M.; the PRESIDENT, Mr. ADAMS, in the chair.

The record of the last meeting was read and approved.

The Librarian reported the list of donors to the Library since the last meeting; and mentioned among the gifts a letter written by Ben: Perley Poore at Washington on March 15, 1863, to Charles E. Davis, Jr., from the widow of Mr. Davis.

The Cabinet-Keeper reported gifts of the following:

A painting of Daniel Webster by Alvan Clark in 1846, from a daguerreotype, and a wooden urn made from the frigate *Constitution* by Lucius Manlius Sargent, and given by him on December 19, 1834, to Henry Codman, by Mr. Codman's granddaughter, Miss Martha C. Codman; an engraving of William Augustine Washington, by Mr. Ford; a bronze medal of the Omar Khayyam Club of America, struck in 1909 to commemorate the centenary of the birth of Edward Fitzgerald, by Walter Gilman Page; a gold medal "Presented by a number of Citizens of Norfolk County to Simeon Miller, as a token of their esteem for his Firmness in the Republican Cause, 1804," by exchange; a photograph of the portrait of Otis Norcross (1785-1827) by Chester Harding, and a photograph of the painting of George Lane (1788-1849) by John Rand, by Mr. Norcross; an album containing 199 photographs of public men and women of Great Britain, France and Italy (1860-1865), by Mrs. Thomas R. Watson, of Plymouth; six misstruck half-dollars, taken in the course of business in San Francisco, by Mr. Andrew McFarland Davis; and twenty-seven medals, by gift and exchange.

The Corresponding Secretary reported the receipt of a let-

ter from Ellery Sedgwick accepting his election as a Resident Member of the Society.

The Editor reported the gift from Mr. Norcross, of one hundred and thirty-four letters and notes of Edward Everett, chiefly written to John T. Austin and Gales and Seaton; from Mr. C. P. Greenough, of a number of Massachusetts and French documents, the former coming from the papers of Governor Increase Sumner; and from Dr. Loring W. Puffer, additional Baylies papers and letters from Rev. Zachary Eddy.

The memoir of William Endicott, prepared by Mr. RANTOUL, was presented.

William Crowninshield Endicott, of Danvers, was elected a Resident Member of the Society.

Mr. DAVIS made the following statement:

At the February meeting of this Society in 1863, Robert C. Winthrop, the President of the Society, submitted for inspection, what I conceive to be an enlarged pen-and-ink sketch of one of the Colony notes.<sup>1</sup> Mr. Winthrop, however, described it as being actually a note emitted by the Colony. It was found by him among the Winthrop papers. At that time there were no specimens of these notes in any of our museums, and it was not known that the emissions made by the Colony were about one quarter of the size of the pen-and-ink drawing submitted by Mr. Winthrop, nor was it understood that the legislative committee having the emission of the Colonial notes in charge were instructed to have the notes printed from copper plates. Mr. Winthrop evidently felt that the authenticity of what he concluded to be a note might be questioned, and called attention to some particulars which might raise doubts, but on the whole concluded that it was a genuine note.

Mr. Winsor, in the *Narrative and Critical History of America*, when dealing with this Colonial paper currency, with full knowledge that the Colony notes were ordered to be printed from copper plates, gives a quasi-endorsement to the authenticity as a note of this drawing, saying that "some of the issues were written with a pen."

Thus the matter remained until June, 1899, when I made a

<sup>1</sup> It is reproduced in 1 *Proceedings*, vi. 428.

communication to this Society, refuting the proposition that this pen-and-ink sketch was a note, and pointing out various reasons why in my opinion this position could not be maintained. At the same time I showed the meaning of the presence of the name of the Province Treasurer on the back of the note and the reason for the presence there of a new number, circumstances which had puzzled Mr. Winthrop but which did not enter absolutely into the question of the genuineness of the document.<sup>1</sup>

Mr. Abner C. Goodell, who was present at the meeting, took exceptions to what I said and made an elaborate argument in defence of the proposition that the document was a genuine note, combating even my explanation of the presence of the name of the Province Treasurer on the back of the sketch.

The discussion, so far as Mr. Goodell and myself were concerned, was necessarily based, as regards certain points, upon the lithographic facsimile of the original sketch, to be found in the volume of our Proceedings which contains the record of the meeting of June, 1899, the original document not having been deposited with us by Mr. Winthrop. In August of that year I received from Mr. Robert C. Winthrop, Jr., the accompanying letter. At a later date he submitted to me the original sketch, which was in October given to the Society. Mr. Winthrop says in his letter that he does not wish to have his opinion quoted, as he does not wish to enter into any contest with Mr. Goodell. Since both Mr. Winthrop and Mr. Goodell are dead, I feel that I have a right to file this letter, in which my conclusions are so fully corroborated, in the archives of the Society. My original opinion was never shaken by Mr. Goodell's arguments, but his high standing as an authority on provincial affairs justifies my seeking for support where I can find it.

ROBERT C. WINTHROP, JR., TO ANDREW MCFARLAND DAVIS.

10 Walnut Street, Aug. 26, [18]99.

DEAR MR. DAVIS, — The missing "bill" has at last turned up and whenever I hear from you that you have returned to Cambridge, I will mail it to you. You can then keep it as long as you wish and then turn it over to the Library of the Mass. Hist. Soc.

If I had been in this country when my father communicated it,

<sup>1</sup> 2 Proceedings, XIII. 142.



in 1863, I should have urged him to make a much more "hesitant endorsement" of its genuineness. His studies had never led him in the direction of Provincial Currency — he relied, as you point out, too much upon Felt as an authority — and in all antiquarian matters connected with N. E., he attached great importance to the opinion of Charles Deane and other friends, who inclined to believe in this bill. None of them, however, were at all familiar with the habits or handwriting of my great-great-grandfather, John Winthrop, F.R.S., whose early letters and papers I have studied. He was then what would be called a Scribbler and a *mouser*, jotting down all sorts of memoranda. My belief is that, for his own amusement, he copied a genuine bill, on a larger scale, imitating the signatures, and subsequently placed it between the leaves of a commonplace book, where it seems to have remained unnoticed for a century and a half. The idea that, after this long interval, it would bamboozle a learned Society, would, I think, have greatly entertained him, for he was not averse to a joke in his youth, tho' he grew very peevish in his old age.

I am wholly unable to accept Mr. Goodell's theory that the signatures are genuine and that the bill is a duplicate. I see the handwriting of my great-great-grandfather running all through it. The words "Come over and help us," under the seal, are *unmistakably* his penmanship, and so are the words "Massachusetts Bay" on the back. At the same time, I recognize the high authority of Mr. Goodell and do not wish to be publicly quoted in opposition to him; but my private opinion remains that this bill was a practical joke — not a deliberate forgery — that the signatures were successfully imitated for the amusement of the writer, and that you have successfully unearthed a mare's nest. Yours very truly,

R. C. WINTHROP, JR.

Dr. DENORMANDIE read a paper on

#### NIETZSCHE AND THE DOCTRINE OF FORCE.

For the last fifty years, with an ever increasing impetus, the principal nations of Europe have been emphasizing the doctrine of force as the only means of preserving or enlarging their dominion. Everything that helps the triumph of force is moral and to be commended, and everything that hinders such triumph is immoral. Out of this doctrine have come the vast armaments and armies, the new devices for destruction beneath the waves or above the earth.

When this became the sole aim of governments, of course

there would arise so-called philosophers and theologians and historians who would give all their thought and ability to the support and spread of the doctrine, because as a rule these are generally creatures of the *zeitgeist*, it is rarely one rises above the *zeitgeist*, and creates a new and higher and nobler spirit of the age.

So far as the German Empire is concerned, many writers claim that two philosophers may be held as almost entirely responsible for the Empire's belief in force, the arousing of the warlike spirit and the justification of every brutality war carries with it. This is attributing too much to these two writers. The imperial desire for aggrandizement, for more room for the rapidly increasing nation, was the controlling idea, to which philosophy and theology began to lend their support. Still more absurd is the idea that beneath all was any great conflict of profound philosophical or religious systems. The imperial spirit was born of pure covetousness, and philosophers and theologians were soon developed to bask in royal favor; and thereafter it was hard to distinguish between cause and effect.

The two writers to whom this transcendent influence has generally been attributed are Treitschke and Nietzsche. Treitschke was a favorite in the imperial parliament, and in some mysterious and unaccountable way joined to his doctrine of force a tinge of Christian morality. He thought it was entirely excusable in war to break all treaties and for the stronger power to take whatever it wanted, but still denounced some methods of warfare which have now been used and defended and praised by the Empire — but if he were alive would doubtless countenance them all, as a logical issue of his doctrine of the sovereign power of the state and the benefit of war; and the mission of Germany.

I want to speak, however, of Nietzsche because I agree with those who think his following and influence have been greater and because his character is more in keeping with the tone of civilization in the Empire to-day.

One need not spend much time upon his philosophy. It is so easy to mark the moral poison which permeates it; and he never hesitated to carry it all to its baneful issue. He wants the Superman — the man who is representative of

power, of force, who knows no limitations of bodily weakness, no ailments, no disease; the fighting man, the man of superb physical development. There is much that is attractive in that. We like to see a strong, vigorous, well man, and there are times, emergencies in life, when we need and praise one who like Talus with his iron flail goes crushing over the evil-doers, or even the amenities, and sympathies, and false barriers, over all obstacles, and just sweeps them all away; but mere physical strength, or beauty, very rarely carries with it any of the qualities of intellect, or heart, or soul we do like better. Socrates was said to have been a sad spectacle, something like a monkey, but his morals and life have been a wonderful help down to the present day. St. Paul had a contemptible bodily presence and a weak and feeble voice, but his words have had a better influence over the world than the whole German Empire, and his praise of love, or his oration on Mars Hill, will go resounding through centuries when Germany is forgotten.

Oh it is excellent

To have a giant's strength; but it is tyrannous

To use it like a giant.

Yet that is what a giant man or giant empire is most likely to do.

The Superman is to be the man who loves war and detests peace. "Ye shall have peace, as means to new war, and the short peace more than the long. I advise you not to work, but to fight." "You say it is the good cause which halloweth war, I say unto you it is the good war which halloweth every cause." "War and courage have done more good things than charity." "It is far pleasanter to injure and afterwards to beg forgiveness, than to be injured and grant forgiveness." Nietzsche's theory is a direct inheritance of the story in ecclesiastical history of early Germany, that they would have nothing to do with Christianity as the monks and missionaries portrayed Jesus and the Apostles, for they regarded them all as a faint-hearted set; but when the clergy acquired military habits, and circulated legends of brave and fighting saints, then they began to accept it; or an inheritance from Attila, the scourge of the world, whom the Kaiser has set before his soldiers, in loud acclaim, as the hero they should follow.

Yes, of course, all hail to the fine physical man or woman!

Then look all through history, look at human life as you have known it, and how many, seriously weighted in the race of life, with every kind of physical limitations, have gained more glorious victories than war has ever told of? Think how many of the greatest and most brilliant minds have shone beneath every physical disability, prisoners long of sickness and infirmity, their visible world within four narrow walls, but the greatness of whose spirits filled the air of the whole arching heavens, and rayed out an influence more helpful to the world than if the realm of Germany were crowded with Nietzsche's Superman. Some Pascal, or Robert Hall, or Buckminster, or Channing, or Mrs. Browning, or Mozart, or Raffaele, or Robertson, or Paul, with his ever-present wearying thorn, alas, that such should have their bonds of the flesh — "the sweet bells of their spirit life, jangled and out of tune," or falling away as the world seems to miss them most! Oh! says Nietzsche, destroy all such as fast as you can; never help, but kill all who have any physical ailments; let only the great fighting warrior live.

As a logical deduction from his theory of the Superman, Nietzsche turns to a bitter denunciation of Christianity and all the teachings of its founder. Everything about Christianity is false and worthless — the weak, the poor, taking up your cross; the pure in spirit, the good Samaritan — the weak and helpless must go to the wall, first principle of our love for humanity, and we must help them to go. "Pity for the weak and helpless, that is Christianity, and it must perish." "God as Father, as Judge, as Rewarder, is thoroughly refuted." "The ungodliest utterance came from God himself, the utterance there is but one God, and thou shalt have no other Gods before me." He speaks of the parody of the opening sentence of John's Gospel as the best he ever heard, "In the beginning was the nonsense, and the nonsense was with God, and the nonsense was God."

Just as we hear of deep movements throughout the world in favor of democracy, even if we have poorly learned yet of its mighty truth and meaning and promise, Nietzsche, regarding it as an outcome of Christianity, has words of only detestation for it all. "The spirit which has won its freedom, tramples

ruthlessly upon that contemptible kind of comfort which tea-grocers, Christians, cows, women, English, and other democrats worship in their dreams." "Where the populace eat, drink, and even where they reverence, it usually stinks, one should not go into churches, if one wishes to breathe pure air." "Every elevation of the type man has been the work of Aristocracy, and so it must always be, a long scale of gradations, requiring slavery at the foundation." "Every one to be allowed to learn to read, ruineth in the long run, not only writing but also thinking."

One may be excused for commending Nietzsche's philosophy of force, because he admires physical vigor; and of war, because there come times when for a higher cause (although a nation easily convinces itself it is fighting for the higher when it is purely for aggrandizement, for covetousness, for accursed ambition) a man will take his life in his hand as of very little moment; and of Christianity because there are millions everywhere who profoundly believe that Christianity as Nietzsche understood it has entirely failed; and of Democracy, because in our land, where it is having its last and best trial, it has not realized all its promised benefits — but there is another subject which Nietzsche logically follows from the doctrine of force, and that is the weakness of woman, and upon this he dwells constantly and in terms which reveal his own utter moral degradation.

"Surface is woman's soul, a mobile, stormy film on shallow water, but woman is not even shallow." "Woman is mean, essentially unbearable like the cat." "Her great art is falsehood." "Love to one woman is a barbarity; also love to one God." "When woman possesses masculine qualities she is enough to make you run away; when she possesses no masculine virtues she herself runs away." "Man shall be trained for the warrior, and woman for the recreation of the warrior: all else is folly." "Some husbands have sighed over the elopement of their wives; the greater number however sighed because nobody would elope with theirs." "Everything in woman hath but one solution, that is called pregnancy." "When a woman has any scholarly inclinations there is generally something wrong with her sexual nature."

And had this bastard philosopher grown so wise that he de-

spised his mother? One day in college a pupil was speaking of an instance in history where a woman was leader in some atrocities, and another, interrupting, said, "That was n't so." "Why not?" "Because a woman never does such things." Horace Mann paused a moment and then said with much emphasis, "The remark of that student is a strong testimony that he has a beautiful mother, and from her life, he thinks no woman could do a mean thing." Had Nietzsche no mother? His father was a clergyman and he may have learnt from him his abhorrence of Christianity; and he had a divorced sister who, after his insanity became marked, watched over him with tender care — but did he never know a mother's love or devotion? If he did and then could say woman is mean, he must have had a debased heart. Surely he never could have known or associated with any women who were not low, worldly, sensual, devilish. Any woman of a fine nature would have shrunk from his touch as from a leper, and from the glance of his eye as from the glare of a basilisk. Contrast the last words of that master-mind, Faust, at the age of eighty, that the elevation of man is dependent upon woman: "That the Ever Feminine draweth us on." Valor and heroism have still their work to perform in the world, but they will find their strongest encouragement in the true womanly.

And now it would seem as if the Empire were ashamed of the emphasis that has been placed upon force, and as if conscious of the condemnation of the world this philosopher of force, who has been said to have had more influence than any other man, in bringing the Empire to its present condition, is being repudiated and denounced everywhere, and professors, historians, philosophers and clergymen join in one torrent of falsehood, to show that the whole conduct of the Empire has always been opposed to force and to war and of all lands has been foremost in obeying the precepts of Christianity, and if "thine enemy smite thee on thy right cheek turn to him the other also." "Nietzsche," says one, "was no philosopher, and had no system — besides he was insane."

Rudolph Eucken, who has been loudly praised and eagerly taken up by many of late, says, "We have never believed in anything but peaceful development." "We would never think of forcing our civilization upon others at the point of the

sword." Karl Lamprecht says, "Aggressive warfare, in the sense of preventive war, has never been our ideal."

Hans Delbrueck, professor of history in the University of Berlin, says, "Every German would reject as an insult the question whether cruelty and hardness against others is permissible in the name of progress." Another says, "Treitschke and his school bear very little influence. Von Bernhardi is known by name to but a small circle of readers" (and I suppose he would add that Nietzsche is too unknown to be taken into account); but, he says, "No living representative of German thought but would consider a war entered into for the sole purpose of conquest an act of wantonness against humanity."

Haeckel says, "German idealism of the present day excludes cruelty and hardness, *in contrast to the English*."

Another, "The policy of the German Government has never been to make special preparation for this war, nor for any aggressive war."

It looks as if there must have been some solemn conclave where it was agreed to see how the rest of the world could be made to accept statements entirely contrary to all the facts.

Ev'n ministers, they ha'e been kenn'd,  
In holy rapture,  
A rousing whid at times to rend,  
And nail 't wi' Scripture.

No, the true Superman is not the man merely of splendid physical parts, but it is the *whole* man under the best development of body, mind and spirit.

Mr. STANLEY HALL followed, saying:

Mr. DeNormandie's sketch of the teachings and influence of Nietzsche raises to my mind a profound and far-reaching historical question. There can be no doubt that in Germany a sense of her superiority over other nations has had a very long incubation and that all her leaders have long felt that she was Nietzsche's overman among the nations of the earth. To the earliest and frankest expression of this sentiment, so far as I know, our President has lately called attention<sup>1</sup> by quoting a statement from Mommsen's *History of Rome* (book v, chap. VIII) which was written some sixty years ago, twelve years

<sup>1</sup> *The Monroe Doctrine and Mommsen's Law*, 28.

before the outbreak of the Franco-Prussian War of 1870. The statement is as follows:

By virtue of the law, that a people which has grown into a state absorbs its neighbors who are in political nonage, and a civilized people absorbs its neighbors who are in intellectual nonage, — by virtue of this law, which is as universally valid and as much a law of nature as the law of gravity, — the Italian nation (the only one in antiquity which was able to combine a superior political development and a superior civilization, though it presented the latter only in an imperfect and external manner) was entitled to reduce to subjection the Greek states of the East which were ripe for destruction, and to dispossess the peoples of lower grades of culture in the West — Libyans, Iberians, Celts, Germans — by means of its settlers; just as England with equal right has in Asia reduced to subjection a civilization of rival standing but politically impotent, and in America and Australia has marked and ennobled, and still continues to mark and ennoble, extensive barbarian countries with the impress of its nationality. . . . It is the imperishable glory of the Roman democracy or monarchy — for the two coincide — to have correctly apprehended and vigorously realized this its highest destination.

This startling avowal of the right of might which goes vastly beyond all the theories that prompted the Monroe Doctrine, really formulated by J. Q. Adams sixty-eight years ago, and all "big brother" theories, antedates and perhaps was the very first expression of the theory of Teutonic superiority, manifest destiny, etc., which Nietzsche and others since in his spirit have expressed in many ways and in many fields of thought. It seems to me that to understand the deeper causes of the present stupendous war we must begin with a correct evaluation of the spirit and temper of Germany, and that at present this is inadequately appreciated, in this country or indeed in any of the countries with which she is at war. Far be it from me to say that Nietzsche expresses the soul of the German race or even the spirit of the General Staff, but it is inevitable in the present crisis that judicious observers who are familiar with the intellectual life of Germany since the war of 1870, should be impressed with the enormous vogue that the doctrines of Nietzsche have had, and their profound and very widely ramifying influences upon German literature and



humanistic culture, an influence which no other German writer, with one exception, ever attained. It seemed to me, therefore, that a very brief and impartial statement of present-day contemporary expressions of the spirit which prompted Mommsen's utterance so long ago, may have some interest and value to this society, inadequate though that statement be.

Many years ago Karl Rosenkranz wrote a book to show that Hegel was "the" national philosopher of Germany; and so he was in his day, for his influence dominated not only every department of learning but the official bureaucracy itself to a degree perhaps never seen elsewhere. The question Mr. De Normandie's paper raises is whether Nietzsche expresses the soul of the German people to-day. He has certainly had an enormous vogue since his death, especially among the intellectuals, young and old, including the officers of the General Staff. How much he expresses the national spirit and how much he has made or shaped it, can perhaps never be told. The dominant trait that characterizes all the so-called periods of his development, and even his insanity, is his worship of power. Personally modest as he was, his conceit was colossal. He said that in his *Zarathustra*, the overman, he had given Germany its greatest book, and he elsewhere declares himself the culmination of a long line of predecessors, Moses, Jesus, Mahomet, Borgia, Cromwell, Napoleon and others. He holds that man to-day is only a link, which ought soon to be a missing one, between the primitive cave-dwellers and the superman which he created in his own image and put in the place of God, who he declared was dead. Indeed, God never existed, and his invention was a trick on the devil's part. He calls upon the élite to rise above the herd of common men, to assert and maximize himself, and in Stirner's sense to do, be, get everything within his power. Might not only makes but is right. Good and bad, the traits of which are always changing, really mean at bottom noble and ignoble. Good is what great and strong men do, and bad is what the weak do. All have the right to all they can possibly get and hold. Pity is folly, for it adds my pain to that of him I pity. Regret is wastage, for there is no freedom of the will, and all act only as they must. There is no blame or responsibility, for each does only what he has to do. The weak are not only miserable but contemptible, and if they

are robbed or enslaved, their rôle is resignation. Our present-day morality is antiquated, and high-born, lordly souls have transcended it. The sense of sin is a poison which the strong insert into the minds of the weak to make them uncertain and submissive. War is the great awakener of all true Dionysiac energies and the greatest need of Europe is a colossal war. Human history is for the most part oppressive, for it binds man down to the past by its precedents, makes him timid, and saps the reckless abandon with which he should act. Most of the past is fit only to be forgotten. The greatest dread of man is inferiority, and the chief mainspring of action is ambition to excel others. If in pushing ourselves on and up towards the overman we completely change our opinions to the opposite, as we are sure to do if we grow, this is nothing but moulting a carapace that we may grow the faster, or in a sense it is only washing off accumulated uncleanness. Growth is inconsistency. Systems bind us down because in them one idea is limited by another. This is why Nietzsche hated Socrates and Plato as arresters of progress. All that is bad is servile and plebeian, and all that is good is aristocratic. The virile male is not only progressive but aggressive, and would be a Titan. Mere knowledge or education is only a paltry device of the peasant classes to make themselves seem worthy of respect, and Jesus was a bastard decadent who led a revolt of the *sans-culotte*, of men who were born to be poor and mean in spirit, to overthrow the grand Roman Empire, and as a result the dark ages came. It is almost impossible to express the philosophy of all his half-score volumes in a few phrases, but these ideas are stated with a style more brilliant and attractive than even Schopenhauer could command, and never, perhaps, was a fresh view of the universe put in such popular form, with so many fairly stinging and epigrammatic phrases, many of which once read can never be forgotten. To be sure, he vituperated Germans, but declared that more of that race than of any other were on the way to over-manhood. His views, at any rate, have profoundly permeated young Germany, and he has touched nearly every aspect of modern life and culture.

Does Germany really deem itself the overman, with right to everything it can obtain and hold? Is this the spirit of Bernhardi, of the German war-lords, and diplomacy, despite

the vigorous denials of this suggestion that have lately been put forth? I wonder if, after all, this will not be the main question in the assize of history. An eminent German has told us that this is the spirit of modern business and that it really dominates life everywhere, and that those who doubt it are either hypocrites or self-deceived. This colossal war, which it will take the world decades to understand, is particularly hard upon the many people in this country who have been more or less, like myself, "made in Germany," and owe so much to her and a large part of whose teaching has been the dissemination of German intellectual wares. As a student and war correspondent in Germany in 1870, I cannot believe that this spirit was dominant then, but there have been many expressions of it since which may well give us pause, with which unless the historian reckons he will be as densely ignorant of the soul of the German race as England has always been and still is.

In Chamberlain's *Foundations of the Nineteenth Century*, which was praised by the Kaiser, we are told in substance that the future development of the world will be made in Germany. Not Jews or Greeks but the Germans, which combine the best traits of these races with the military genius of Rome, are the elect. History so far is only prolegomena. It will really begin when Germany seizes her inheritance, for German means Celt and Slav as well as Teuton, so that Chamberlain intimates that Dante, Paul, Assisi and Pascal were Germans. Certainly this book has been taken with great seriousness, as the many German reviews of it when it appeared have abundantly shown.

Count Gobineau, although a Frenchman by birth, was one of the greatest laudators of the Aryan race, who he said were as superior to the whites as the whites were to the blacks, and so he attempts to weigh the ten types of culture that he finds, insists that the best of the white races are more or less Teutonic, and would reserve for them special privileges and have them feel that they are charged with the responsibilities for the rest of the world. They should rule by right of birth, and in his later life he retired with pride and renunciation to a sense of his own superiority and strove to write a culture history "in the largest style" and pronounced the Germans "the highest bloom of world-historical development." Since his works were translated into German by Schemann they have had a great vogue.

Woltmann in his two books proves to his satisfaction and to that of many Germans that most of the immortals in France, England and Italy, both present and past, were really Germans. For this anthropologist all who are dolichocephalic or have blonde hair or blue eyes and do not belong to the Mediterranean race must be German, and so he proves that Michel Angelo, Da Vinci, Raphael and many others are really Germans.

J. L. Reimer says Jesus was a German, for the first syllable, "Jes," means "Ger," and the last, "us," means simply male, so we have Jesus, — Ger-man. One cannot believe that the Germans are megalomaniacs enough to accept such extravagant views, earnestly as they are put forth. At the same time, there is an intense personal or self-feeling which is peculiar to the Germans, in whom honor is as liable to become an obsession as duty is with a born and bred Puritan. For instance, a recent writer collects fifty-three German words of which *Ehre* (honor) is a component, and in a Heidelberg corps-book there were sixty-three points on which a student might be declared dishonorable and have to face his insulter with a sword on the *Mensur*. German society is relatively almost entirely lacking in public opinion, and its press has little of the independence of ours. German society, especially in Prussianized Germany, is perhaps more stratified into ranks and classes than any other society in the world, for in Russia there are great gaps between the common people and the nobility, which are well filled with many gradations in Germany. Rank in the army is used as the yardstick on which to measure ranks of office-holders, members of professions, including academic positions, and everything else is governed by precedent, the member of each grade being domineering over the next below and a little inclined to obsequiousness to the rank above his own. This is something which has a deep historical and even hereditary root, but the influence and pervasiveness of the spirit which it represents are very hard for us to grasp.

Some have even questioned whether Germany ought to be called a Christian nation, whether the God the Kaiser worships is not really a tribal deity, a Thor modernized, with the mailed fist instead of the hammer. The Germans were converted only in the thirteenth century. Luther early threw off the yoke of Rome, and then came the rational, critical Tübingen scholars

like Bauer and Strauss, reducing much of Christian record to myth; and now we have men like Arthur Drews and his disciples teaching with great earnestness that no such man as Jesus ever lived, but that he was a half-conscious, half-unconscious fabrication of the middle of the first century, while Jensen makes him a restoration of an old Babylonian epic hero, Gilgamesh, and Nietzsche, with half a dozen others, insists that he was morbid and degenerate, a victim of delusions and perhaps epilepsy, and an utterly unworthy ideal. But no one has ever come so near exhausting the possibilities of vituperation in a way that to all Christians must seem sacrilegious and blasphemous to the last degree as Nietzsche. Wagner, and perhaps still more, some of his followers, felt that in the interests of high art which ought to become religion there must be a reversion to the German legends of Siegfried and the rest, and his "Parsifal" was offered in some sense as a rival to Jesus, while he is credited with the slogan, "*Das Deutsenthum musst das Christenthum siegen.*"

Of course war at the best is a reversion to barbarism, and it has to be more or less pitiless, but it surely was bad international diplomacy for Germany to reduce so many Belgians to a state of beggary because who, all over the world, that contributes to the relief of their suffering, does so with entire good will to the Germans? Pfister has lately given us a kind of psychology of war which he believes to be occasionally an indispensable necessity like the restoration and realization of childish ideals, and apparently holds with Otto Hintze that we stand at the beginning of an epoch of war, whether this one lasts a longer or shorter time. We have become over-refined and have to revert to savagery in the sense that Rousseau and Tolstoi and the "Mother Earth" movement reverted to the simple life again. In my student days I used to hear Treitschke preach the glory of the Germans and the infamy and duplicity of England, and his spirit seems to me revived in a recent address of my old teacher, Professor Wundt, of Leipzig, a very eminent man, now in the eighties, who, after condemning England for being completely given over to the utilitarianism of Bentham, who he thinks the evil genius of England, as others think Nietzsche is of Germany, declares that when Germany conquers England, as she surely will, she will levy no

such paltry sum as a thousand million dollars, as she did on France, in 1871, but will remember the Scriptural injunction, "To whom much is given, of him will much be required." Germany is unquestionably in very many respects the most remarkable country in the world to-day. Method and system are her watchwords, in science, government, education, and war. The barrier of language has unquestionably made her misunderstood, and she deeply feels, and with justice, a lack of due appreciation on the part of the other nations of western Europe and the world. She feels that her superiority justifies the conquest of a larger place in the sun. In the great final scramble for colonies that culminated in the middle or later nineties of the last century, when about all the available land in the world was appropriated, she was relatively left out, and now in her conquest of Belgium she probably has an eye quite as much or even more to the Congo Basin than to the acquisition of Belgium itself. At any rate, her present conduct of this war has given her friends in other lands and I think particularly in this country, where she has so many who have lit their intellectual torch in the fire she kindled, a grave problem to solve. The souls of some of us are almost cleft in twain between love of the peaceful Germany we have known and the ruthless, aggressive Germany under the dominance of the war-lords.

Perhaps never was history being made so fast, day by day, and perhaps the task of the historians of the past will appear puny compared to that of those who are to do justice to the events of these days. A new Europe may emerge, and civilization start off at a new angle and a new era begin. The impartial judgment of intelligent public opinion in this country will be and probably is nearest to that of the judicial historian of the future. Again, if the Orient is destined some day to rival the West, it would seem that this set-back of Europe will hasten for our posterity that era of competition. Perhaps England was lagging and needed this great but rude awakening. Once more, perhaps it will turn out to be at bottom a war of democracy versus autocracy, despite the accident that Russia and England chance now to be on the same side. We realize to-day as never before how full Europe is of old racial and national antagonisms. From the crusades and long before, Europe has

accumulated masses of ancient enmities, jealousies, hates, prejudices, and transmitted them from generation to generation, and this war will only add to this heritage of animosities. Here, however, we have no old chimneys, always liable to conflagration. America is a *tabula rasa*, or to change the figure, the smelting-pot is doing its work, and the representatives of each of these warring forces can have a hearing and agree to differ. It is a proud thing that we can and are teaching this war in about three-fourths of the public schools of the land, not only connecting it with geography, history, economics and other branches, but what is far more important, bringing home to the minds of the rising generation a realization of the horrors of war and the blessings of peace, and inculcating the spirit of toleration. Never have we thus had such reason to be proud of our country.

Mr. WASHBURN read a minute on

#### THE COPYRIGHT LAW OF 1909.

It is not my purpose to consider in detail the Copyright Law of 1909, but rather to relate the circumstances within my personal knowledge under which it became a law.

While the subject had been under consideration for many years and various acts had been passed, it had been found impossible so to harmonize conflicting interests as to get satisfactory legislation.

On January 27, 1905, the Senate chairman of the Committee on Patents announced in Senate Report 3380 that the Committee on Patents purposed to "attempt a codification of the copyright laws at the next session of the Congress;" the Librarian of Congress was asked to call a conference of the several classes interested in the codification, which he did, and meetings were held in New York in May, June and November, 1905.

In his message of December 5, 1905, President Roosevelt said:

Our copyright laws urgently need revision. They are imperfect in definition, confused and inconsistent in expression; they omit provision for many articles which, under modern reproductive processes, are entitled to protection; they impose hardships upon

the copyright proprietor which are not essential to the fair protection of the public; they are difficult for the courts to interpret and impossible for the Copyright Office to administer with satisfaction to the public. Attempts to improve them by amendment have been frequent, no less than twelve acts for the purpose having been passed since the Revised Statutes. To perfect them by further amendment seems impracticable. A complete revision of them is essential. Such a revision, to meet modern conditions, has been found necessary in Germany, Austria, Sweden and other foreign countries, and bills embodying it are pending in England and the Australian colonies. It has been urged here, and proposals for a commission to undertake it have, from time to time, been pressed upon the Congress. The inconveniences of the present conditions being so great, an attempt to frame appropriate legislation has been made by the Copyright Office, which has called conferences of the various interests especially and practically concerned with the operation of the copyright laws. It has secured from them suggestions as to the changes necessary; it has added from its own experience and investigations, and it has drafted a bill which embodies such of these changes and additions as, after full discussion and expert criticism, appeared to be sound and safe. In form this bill would replace the existing insufficient and inconsistent laws by one general copyright statute. It will be presented to the Congress at the coming session. It deserves prompt consideration.

Conferences were resumed in March, 1906, successive drafts of bills were considered and a final draft which became the basis of the bill "to amend and consolidate the acts respecting copyright" was introduced both in the Senate and in the House on May 31, 1906. It was then arranged that the Senate and House committees should sit in joint session for public hearings which were held in the Senate Reading Room of the Library of Congress in June and December, 1906, and in March, 1908. A great many interests were heard and an enormous amount of testimony taken. Meantime, at the opening of the 60th Congress, in December, 1907, I had for one of my committees that on Patents. I found the Committee divided, almost evenly, and the principal difference seemed to be one that did not admit of compromise. It related to extending copyright control to music reproduced upon mechanical instruments, and was known as the "canned music"



proposition. With the development of the phonograph and the mechanical player, this had become a subject of importance and was covered by article 13 of the Convention of 1908, at Berlin, of the International Association, as follows:

Authors of musical works have the exclusive right to authorize —

1. The adaptation of these works to instruments serving to produce them mechanically.
2. The public performance of the same works by means of these instruments.

In the case of *White-Smith Music Publishing Company v. Apollo Company*, decided by our Supreme Court at Washington, February 24, 1908, it was held that perforated rolls which, when used in connection with mechanical piano players, reproduce in sound copyrighted musical compositions, do not infringe the copyright in such compositions.

This worked an injustice to the composer and, in the consideration of the matter to which I am now alluding, it was sought to remove it. The practical objection urged, and it had much force, was, that if a composer had the exclusive control over his copyright music, reproduced by mechanical means, it would lead to a monopoly in the manufacture and sale of mechanical instruments, because, as it was asserted, some one maker or combination of makers of mechanical instruments could get control of all the popular music and in that way prevent its use by any other maker of mechanical instruments, which would be a hardship. On the other hand, it was said that if the composer had a constitutional right to the exclusive control of the creations of his brain for a limited time — and that certainly was what the copyright law had in contemplation — then he should be allowed to exercise his exclusive right in any way that he might see fit. It became apparent that if this difficulty could be gotten over, a bill might be reported out of the Committee. With this end in view, a clause was drafted which gave the exclusive right to the composer to prevent the reproduction of his music on *any* mechanical instrument. On the other hand, if he should so use it or permit its use by others, he must permit anyone to use it on stated terms. This paragraph, as finally amended, brought the two factions together, and a bill having the unanimous support

of the Committee was reported into the House, February 22, 1909. The matter then of immediate consequence was to get the bill through the House, and that was not a small undertaking, because that was the short session of Congress and the calendar was very much congested. As the end of the session approached, a great many bills are passed under "suspension of the rules," and if, as the rules then stood, you could get recognized by the Speaker, you could get consideration for any measure thus favored.

I remember that the chairman of the Committee and I went to Speaker Cannon on one of the last three or four days of the session, and urged him to recognize us on the copyright bill so that it might be considered. He had a large number of requests of the same nature, and, of course, had to use a good deal of discretion in deciding which he would grant. He finally said, "Well, if you boys say that this ought to go, I will recognize you." And it so happened that at six o'clock on Tuesday afternoon, March 2, 1909, the chairman of the Committee was recognized, and moved to suspend the rules, discharge the Committee of the whole House on the state of the Union from the further consideration of the bill, agree to the amendments proposed by the Committee and pass the bill. Before any progress had been made the House took a recess until the next day, March 3.

When a measure is debated under these conditions, twenty minutes are allowed on a side, so that there were but forty minutes available to consider the measure, which was of great importance and which involved so much controversial matter.

It is not necessary to follow the debate, because that can be found in the *Congressional Record*, Volume 43, Part I, page 3761. It is enough to say here that the bill passed the House late on the morning of March 3. It then had to go to the Senate. The Senate Chairman of the Committee on Patents had meantime agreed to substitute the House bill in the form in which it had passed, for the pending Senate bill. At that stage of the session everything in the Senate had to be done by unanimous consent: objection by any single senator was fatal. At the outset there was objection, but as the day wore on it was withdrawn, and when the House took a recess from six until nine

o'clock everything looked favorable for the passage of the bill in the Senate. Another objector roused apprehensions, but he was quieted; and during the evening the bill passed the Senate. This was on the night of March 3. The next day, March 4, President Roosevelt signed the bill, among the last of his official acts.

In my opinion, if the clause relating to mechanical reproductions had not been included in the bill, it could not have become a law, certainly not at that session of Congress, and had it not passed then, I do not think we would have had any codification or revision of the copyright laws for many years.

The clause runs as follows:

*Provided*, That the provisions of this Act, so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after this Act goes into effect, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights: *And provided further, and as a condition of extending the copyright control to such mechanical reproductions*, That whenever the owner of a musical copyright has used or permitted or knowingly acquiesced in the use of the copyrighted work upon the parts of instruments serving to reproduce mechanically the musical work, any other person may make similar use of the copyrighted work upon the payment to the copyright proprietor of a royalty of two cents on each such part manufactured, to be paid by the manufacturer thereof; and the copyright proprietor may require, and if so the manufacturer shall furnish, a report under oath on the twentieth day of each month on the number of parts of instruments manufactured during the previous month serving to reproduce mechanically said musical work, and royalties shall be due on the parts manufactured during any month upon the twentieth of the next succeeding month. The payment of the royalty provided for by this section shall free the articles or devices for which such royalty has been paid from further contribution to the copyright except in case of public performance for profit: *And provided further*, That it shall be the duty of the copyright owner, if he uses the musical composition himself for the manufacture of parts of instruments serving to reproduce mechanically the musical work, or licenses others to do so, to file notice thereof, accompanied by a recording fee, in the copyright office,

and any failure to file such notice shall be a complete defense to any suit, action, or proceeding for any infringement of such copyright.

In case of the failure of such manufacturer to pay to the copyright proprietor within thirty days after demand in writing the full sum of royalties due at said rate at the date of such demand, the court may award taxable costs to the plaintiff and a reasonable counsel fee, and the court may, in its discretion, enter judgment therein for any sum in addition over the amount found to be due as royalty in accordance with the terms of this Act, not exceeding three times such amount.

This provision is absolutely unique in our legislation and involves a serious constitutional question, but it was essential to the passage of the bill. The new British Copyright Act of 1911 has followed very closely this precedent.

In closing I will quote the opening lines in the "Foreword" of Mr. Richard Rogers Bowker's recent book upon Copyright:

The American copyright code of 1909, comprehensively replacing all previous laws, a gratifying advance in legislation despite its serious restrictions and minor defects, places American copyright practice on a new basis. The new British code, brought before Parliament in 1910, to be effective July 1, 1912, marks a like forward step for the British Empire, enabling the mother country and its colonies to participate in the Berlin convention. Among the self-governing Dominions made free to accept the British code or legislate independently, Australia had already adopted in 1905 a complete new code, and Canada is following its example in the measure proposed in 1911, which will probably be conformed to the new British code for passage in 1912. Portugal has already in 1911 joined the family of nations by adherence to the Berlin convention, Russia has shaped and Holland is shaping domestic legislation to the same end, and even China in 1910 decreed copyright protection throughout its vast empire of ancient and reviving letters. The Berlin convention of 1908 strengthened and broadened the bond of the International Copyright Union, and the Buenos Ayres convention of 1910, which the United States has already ratified, made a new basis for copyright protection throughout the Pan-American Union, both freeing authors from formalities beyond those required in the country of origin. Thus the American dream of 1838 of "a universal republic of letters whose foundation shall be one just law" is well on the way toward realization.

Mr. C. F. ADAMS presented a paper on

## THE BRITISH PROCLAMATION OF MAY, 1861.

Nearly twenty years ago our late associate, Edward L. Pierce, submitted a paper, "Recollections as a Source of History."<sup>1</sup> This at the time struck me as a contribution of exceptional value, and the years since elapsed have confirmed that impression. It is a paper the historical investigator should lay at heart. Mr. Pierce's thesis was the complete fallibility of subsequent reminiscence in those intimately at the time connected with important historical incidents; and recently in Washington I have had renewed illustration thereof. The instance referred to was indeed hardly less noteworthy than the Abram S. Hewitt hallucination, set forth in papers I submitted to the Society in October, 1903, January, 1904, and November, 1906.<sup>2</sup> Not impossibly I may hereafter further allude to it.

To-day, however, I propose to begin with a reminiscence. It relates to a distinguished man and a very memorable historical work — Alexander William Kinglake, and his *Invasion of the Crimea*. As it rests in my recollection, the incident occurred some forty years ago, and at a London dinner-table. The late Lord Houghton was a guest, and the talk, drifting, as I recall it, on the Franco-German war, then, like the war now in progress, for the time being quite monopolizing public attention, Lord Houghton stated that Kinglake's interest and imagination had been so excited by the later and far more considerable conflict that he had lost all interest in further prosecuting what had become with him the work of a lifetime. He went on with it, mechanically; for the war in the Crimea seemed not only relegated to a remote past, but reduced to little more than a minor military incident. Devoid of permanent interest, it had no instructive features. Consequently, Kinglake's work fell unfinished from his hand; and unfinished it was destined to remain.

Such is my recollection, and it is distinct. Unfortunately, however, I find in it much suggestive of Mr. Pierce's paper. Closer examination fails to reconcile recollection with re-

<sup>1</sup> <sup>2</sup> *Proceedings*, x. 473-490.

<sup>2</sup> The substance of these several papers was subsequently reprinted under the title "Queen Victoria and the Civil War," in the volume entitled *Studies: Military and Diplomatic*, 375-413.

corded facts. I could almost make affidavit to the accuracy of my memory; and yet, in the first place, the after-dinner talk in question could not, I find, have occurred in London, inasmuch as I do not recall having met Lord Houghton in London subsequent to the year 1870 — that of the Franco-German War. I did afterwards meet him in Boston, and in his company visited Plymouth, on Thanksgiving Day, 1875. It may well be that he then, or at that time in Boston, mentioned this incident. Even if he did, however, the statement as now recalled comes in somewhat hard contact with the publisher's records, showing that the fifth volume of Kinglake's history was published in 1875, the sixth in 1880, and the seventh and eighth, completing the work, as it stands, not until 1887. Thus though he may have temporarily lost interest in his subject, Kinglake went on with it, carrying his narrative into minutest detail, until within four years of his death, which occurred in January, 1891.

All this to the contrary notwithstanding, I here repeat this Houghton-Kinglake anecdote for what it is worth. It has a bearing on my own present condition and the paper now submitted; for the struggle to-day on in Europe in its immensity as well as immediate interest has undeniably produced on me a deadening influence very similar to that which, according to Lord Houghton, the Franco-German War of 1870-71 produced on Kinglake. It is much as if a geologist engaged upon some phase of his specialty suddenly found himself face to face with a tremendous catastrophic convulsion, occasioning what is known as a "fault." The evidence as well as the import of his investigation, buried under a more recent deposit, once for all became remote and secondary.

Thus, during recent months, not only has my own interest in my work been impaired, but I have in ways not to be mistaken had occasion to realize that the world, even here in America, has for the time being at least ceased to concern itself over our struggle of half a century back, and what I or others might have to say about it. While that struggle is quite forgotten in Europe, its relative importance as the "greatest war in history," etc., etc., has even with us been perceptibly affected. A twice-told tale, it has, in a word, become, so to speak, ancient history; it is relegated to companionship with our war

for independence. Undoubtedly, here in America, at least, interest in it will hereafter revive. Nevertheless, for the present I am unpleasantly but unmistakably conscious of the fact that not only do I approach my topics in somewhat languid mood, but, when the results of my labor are in print, they will receive attention from almost no one. Possibly, however, some future scholar or investigator may profit thereby.

This premised I propose to submit to-day for entry in our *Proceedings* a body of historical material relating to the memorable proclamation conceding Confederate belligerency with consequent British neutrality issued by Her Majesty's Government, early in May, 1861. This measure, fought over by historians, lawyers and publicists, was throughout the succeeding ten years matter of constant discussion in this country and in England. Indeed, the issues arising from it, which at one time not only seemed to, but actually did, threaten the peace of nations, were not finally disposed of until the summer of 1872, when the decisions of the Geneva Tribunal of Arbitration were rendered. The proclamation was, at the time of its issuance, angrily denounced in this country, and for years afterwards it was assumed almost unanimously by American authorities and journalists as an undeniable proposition that, without due consideration, it was prematurely issued, the British governmental action being inspired by an unfriendly feeling toward the United States. On this head every one at all acquainted with the literature of the period will recall the utterances of Mr. Seward, then Secretary of State; as also the famous indirect damages contention of Mr. Sumner. This last, enunciated in the Senate, April 13, 1869, and subsequently incorporated into the American case prepared for the Geneva Arbitration, even gravely jeopardized at one time the highly desirable international adjustment effected as a result of the Treaty of Washington.

In the case of Secretary Seward, I am well aware that recent historical investigators have thrown doubt on the degree of faith he himself felt in his own official utterances. Made, it is alleged, with an eye to temporary political effect, they were largely what is known as a "bluff." As such, it is suggested, they served their purpose. On the other hand, they are part of the official record; and, so far as that record is concerned,

they are explicit. About them there is nothing suggestive of anything less than implicit belief.<sup>1</sup>

It is otherwise as respects Mr. Sumner. Elsewhere<sup>2</sup> I have discussed his belligerency thesis, and international contentions thereon. Mr. Sumner, however, was afflicted with such a rhetorical impulse, at once morbid and irresistible, and his tendency to excessive exaggeration in statement so grew upon him that he has ceased to be regarded as an authority on any question involving either what he deemed "The Cause," as he termed it, for the time being, or principles of international usage. If, however, the official records and utterances of Secretary Seward and Mr. Sumner are left out of consideration, no similar objection can be advanced to the attitude and language of Reverdy Johnson. Eminent as a lawyer during the war, and subsequent thereto distinctly representative in the Senate chamber of border state sentiment, Reverdy Johnson, though politically a loyal Unionist, was neither an anti-slavery extremist nor a patriot to the exclusion of both obvious existing conditions and accepted international usage. In the

<sup>1</sup> The continued iteration by Mr. Seward of his belief that the "Rebellion" drew its entire strength from the expectation of being recognized by foreign nations and his faith that, if the Confederacy could once be thoroughly disabused of that expectation, that the Civil War would collapse, is set forth, together with other peculiarities of Mr. Seward's rhetoric and philosophy, in extracts from his despatches printed in the article entitled "American State Papers" in *Blackwood's* for May, 1863, LXI., of the American edition, 628-644.

In the extracts there quoted, Mr. Seward says in a despatch dated 6th March, 1862: "If Great Britain should revoke her decree concerning belligerent rights to the insurgents to-day, this civil strife, which is the cause of all the derangement of those relations, and the only cause of all apprehended dangers of that kind, would end to-morrow. The United States have continually insisted that the disturbers of their peace are mere insurgents, not lawful belligerents."

Four days later, 10th March, 1862, he wrote: "Let the Governments of Great Britain and France rescind the decrees which concede belligerent rights to a dwindling faction in this country, and all their troubles will come to a speedy end."

And Mr. Seward again says: "I have not failed to see that every wrong this country has been called to endure at the hands of any foreign power has been a natural if not a logical consequence of the first grave error which that power committed in conceding to an insurrection, which would otherwise have been ephemeral, the rights of a public belligerent."

Finally in a despatch on the 5th of May, 1862: "We shall have peace and union in a very few months, let France and Great Britain do what they may. We should have them in one month if either the Emperor or the Queen should speak the word, and say, — If the life of this unnatural insurrection hangs on an expectation of our favour, let it die!"

<sup>2</sup> *See at Appomattox and Other Papers*, 101-103, 204-205.



closing days of 1867 — two years and a half having then passed since the Confederacy fell — it was gravely, to all outward appearances, proposed in Congress to recognize Abyssinia as a belligerent because of the British military operations there conducted, known as “King Theodore’s War.” A senator from Michigan, Mr. Chandler, introduced the usual joint resolution, couched in the exact terms of the British proclamation of six years previous, in fact a paraphrase of it. Indeed, but for the debate which ensued over the disposition to be made of the resolve and Mr. Johnson’s participation therein,<sup>1</sup> the whole episode bore somewhat the aspect of an ill-timed and distinctly undignified burlesque. In urging its adoption, Mr. Chandler asserted in support thereof that “no man pretends that the rebellion would ever have taken head but for the [British] proclamation of neutrality,” which he claimed had in its results occasioned the Union a loss of two hundred thousand lives and at least \$2,000,000,000 of money. Opposing this proposed action, Senator Reverdy Johnson in the course of debate assumed as of course that the proclamation referred to had been a “gross error,” unkind to America; and that Earl Russell, the Foreign Secretary, was not only then especially unfriendly, but at the later date was well understood to be an obstacle in the way of settlement. He added, “England owes it not only to us, but to her own honor to pay every dollar of the losses which American citizens sustained in consequence of the cruise” of the Confederate commerce destroyers. The question of belligerency was, he admitted, not necessarily connected with what were known as the “Alabama Claims,” but the dependency of one upon the other was apparent.<sup>2</sup> Throughout, the now forgotten debate was typical of the attitude and utterances of the period. In it, anything and everything were assumed as “indisputable.”

Of all this, acquaintance might for the purposes of this paper

<sup>1</sup> *Congressional Globe*, 40th Congress, 2 Session, December 9, 1867, 83-88. The British expeditionary force directed against King Theodore was then preparing to move. Magdala, his capital, was stormed by the forces under Gen. R. C. Napier, subsequently created Lord Napier of Magdala, April 13, 1868, and King Theodore killed himself as the alternative to capture. The joint resolution referred to was continued on the Senate calendar until June 18 ensuing, when, on the motion of Senator Chandler, its further consideration was indefinitely postponed.

<sup>2</sup> *Life of Reverdy Johnson*, 229.

fairly be assumed. Not so the official and other evidence which at the moment influenced Lord John Russell, furnishing the basis on which action was taken. Of this material, some, of course, has appeared in the English Blue Books, in the papers connected with the Geneva award and in the "Memoirs" of British and American public men since published. Of this I do not propose here to make any considerable use. It will be remembered, however, that a year ago Mr. Ford and I passed several weeks in London in search of unpublished material. It may also be remembered by some that subsequently, at our December meeting a year ago, I gave, in a conversational way, a partial account of what then took place; which, involving, as it did, matters of a more or less confidential nature, and statements as to collections of papers not public, does not appear in detail in our *Proceedings*,<sup>1</sup> though I occupied the better part of an hour. My present purpose is to submit, in a more formal way, a portion of what I then communicated, and to insert in our record a body of original historical material bearing upon the issuing of the Proclamation of May 13, 1861. In the first place, however, I must recur to certain statements I made a year ago, which, though of unquestionable historical interest, I thought best not to print. They relate to a singular usage which has almost from time immemorial prevailed in Great Britain, affecting to an extent not fully appreciated the facts and inferences to be drawn from the historical material there accessible.

We hear a great deal from those interested in original research of public archives and access thereto, and of dates arbitrarily fixed by the various Foreign Offices at which those archives have been, or are to be, laid open to the investigator. It is, however, a bit confounding in this connection to learn, as we now are learning, that, so far at least as the Foreign Office of Great Britain is concerned, the papers there to be found are at times of somewhat secondary importance. A knowledge of the true inwardness of any given situation of a certain sort must be looked for elsewhere. More even than that, the papers on file in the Foreign Office are not unseldom even illusory. The statement is unquestionably startling; and how, it will be asked, did such a condition of affairs come about? The explanation is curious — English!

<sup>1</sup> *Proceedings*, XLVII. 53.

For at least two centuries now — indeed, ever since the British Foreign Office took its present form — a usage as to correspondence has prevailed in connection with it which has now to be reckoned with, a usage in no wise generally understood. As Parliament, far back in the eighteenth century — during, in fact, the Walpole epoch — gradually assumed the large State functions it has since developed, it became more and more a practice to call on those constituting the Ministry for papers relating to events connected with foreign affairs, especially correspondence. The modern Blue Book was thus gradually evolved. As the practice grew, its inconveniences made themselves felt. Both the Secretary for Foreign Affairs and those with whom he was in correspondence wrote under an ever-increasing sense of restraint. As the British diplomatic service was constituted, this, not unnaturally, resulted in two forms of correspondence and sets of records — first, the usual official exchanges, including instructions and despatches subject to parliamentary call. These were at any time subject to being made public through the Blue Book. Meanwhile, on the other hand, a private interchange of letters, frequently familiar in tone as between old friends and perhaps relatives, would be going on between the representatives at certain of the foreign courts and the Secretary of Foreign Affairs. And here it is necessary to bear in mind a wide practical distinction existing between the British foreign service and our American State Department. In Great Britain diplomacy is a career, and in this respect, like the army and navy, those entering into it have been largely of the so-called, aristocratic class, including members of the peerage, or those connected therewith. Relations, therefore, of an intimate or family character almost customarily existed between many of the representatives abroad and the various Foreign Secretaries. It is safe to say that no similar conditions, as a rule, have ever prevailed between the American State Department and our own representatives in diplomatic position. There have been, of course, exceptions to this general statement. For instance, while there is no evidence of any confidential and private correspondence between Mr. C. F. Adams and Secretary Seward during the seven years of the residence of the former in London, yet there is at Auburn a large amount of private correspondence carried on at the

same time between Secretary Seward and other diplomatic representatives, including more especially H. S. Sanford, the United States minister at Brussels, and John Bigelow, Consul General at Paris. This interchange does not, however, partake of the intimate personal character of the letters between Lord Lyons, for instance, and Lord Granville and Lord Russell, or between Earl Cowley and the occupants of the Foreign Office during his long residence at Paris.<sup>1</sup> In other words, in the American case an element of formality was always perceptible, whereas in the British case the interchange was not infrequently as that between personal friends. Essentially informal, examples will frequently appear in the papers I am about to submit.

It was, moreover, in times of exigency that recourse was naturally had to this form of communication. Its convenience as between men who thoroughly understood each other is under such circumstances apparent. The formal despatches, constituting the great mass of the Foreign Office correspondence — 95 per cent of it, perhaps — were regularly filed in the official archives; and there they now are. The private communications, however, coming from the important embassies and relating generally to more or less critical situations, were considered as belonging to the First Secretary for the time being. This, moreover, became a recognized system, these private communications being almost invariably written with his own hand, by either Secretary or Minister, not coming under the eyes or to the knowledge of subordinates. As a rule, no copies of them seem to have been kept; and by both writer and recipient they were looked upon as altogether personal and confidential. The minister or ambassador, therefore, had his own private files, separate from the official files of Embassy or Foreign Office. The Secretary also had his similar files; and, when each retired from office, he carried his private files with

<sup>1</sup> Much later, during the McKinley and Roosevelt administrations (1898-1905), I am given to understand by our associate, Mr. W. R. Thayer, it was the practice of Mr. John Hay, when Secretary of State, to correspond on much more intimate terms with certain of the representatives abroad — especially Mr. Henry White — as, for example, in renewing negotiations for the abrogation of the Clayton-Bulwer treaty. The case was, however, altogether exceptional, and in some respects characteristic of Secretary Hay. As a rule, the absence of anything suggestive of personal relations is noticeable.

him. Not belonging to the public offices, these files were, nevertheless, affected, so to speak, by a public interest; and, while the originals could only be found either among the private papers of the whilom foreign secretaries or ambassadors, it was, and is, distinctly understood that no historical use can be made of this material except with the consent and approval both of the family of the minister or ambassador in question and of the Foreign Office.

Such were the British usage and understanding. Such they are now. Referring to it, Mr. Julian Corbett, in recently editing the private papers of the second Earl Spencer, First Lord of the Admiralty between the years 1794 and 1801, speaks as follows: "Intimate as they are, going deeper into the well-springs of history than do the regular official documents, such papers seldom or never find their way into the public archives of the kingdom, and but for the action of the Society and the public spirit of their owners would remain almost inaccessible to students."

I now come to my own sources of information. In the present case, they are threefold. First, the Public Record Office. Secondly, the papers of Lord Lyons, including his confidential communications to the Foreign Secretary. These papers are deposited in Norfolk House, London; and of them considerable, though still only partial, use was made by Lord Newton in the preparation of his recently published *Life of Lyons*. Finally, the Russell papers. This last most valuable body of material was then (1913) in the hands of Mr. Rollo Russell, a younger son of Earl Russell. Mr. Rollo Russell has since died, and the papers have been removed to the Public Record Office, where access to them is possible only with permission of certain trustees in whose hands they have been placed. I was so fortunate as to be in England a year before Mr. Russell's death, and was under much obligation to him. Not only did Mr. Ford find the papers well arranged and accessible, but Mr. Russell as respects them took the large view. He held them as in the nature of a public trust; and, so far as I at least was concerned, he construed the terms of that trust liberally. Every facility was afforded; every request was immediately complied with.

As already intimated, the material about to be submitted

is of the period preceding the issue of the Proclamation, and directly or indirectly throws light thereon.

I begin with a letter from Robert Bunch, then British Consul at Charleston, South Carolina, to Lord Lyons. Written February 2, 1860, nine months prior to the election of Abraham Lincoln, it affords illustration, amusing as well as suggestive, of the condition of mental bewilderment under which British officials connected with American affairs then labored. Whether in London or America, they seem in fact to have been at a total loss as to the proper significance to be attached to any passing incident or unexpected demonstration; in this respect, not unlike the Americans themselves of the same period. Yet to those on the spot the Foreign Secretary necessarily as well as naturally looked for light and guidance.

Bunch wrote describing a dinner given the evening before (February 1, 1860) by the Jockey Club of Charleston. Being called upon for a speech, he had alluded to the prizes of the turf at home, and incidentally referred to the plates run for in the various British colonies. Continuing, he said:

"I cannot help calling your attention to the great loss you yourselves have suffered by ceasing to be a Colonial Dependency of Great Britain, as I am sure that if you had continued to be so the Queen would have had great pleasure in 'sending' you some Plates too."

Of course this was meant for the broadest sort of joke, calculated to raise a laugh after dinner; but to my amazement, the Company chose to take me literally, and applauded for about ten minutes — in fact I could not go on for some time.

Evidently Bunch hardly knew what to make of the demonstration. He could not believe that South Carolina seriously wished to be reannexed to Great Britain, and he comments on the episode in a vein somewhat humorous. Nevertheless, in concluding his letter, he solemnly assures Lord Lyons that "the Jockey Club is composed of the 'best people' of South Carolina — rich planters and the like. It represents, therefore, the 'gentlemanly interest' and not a bit of universal suffrage."

It would be idle to assume that either in South Carolina or in England there was, in February, 1860, any serious thought of a resumption of colonial relations. None the less, the talk then

currently heard in Carolina social life was suggestive, and throws a strangely vivid gleam of light on what both at the time and subsequently occurred. For instance, when fourteen months later, in April, 1861, William H. Russell of the *Times* was in Charleston, immediately after the bombardment of Sumter, and less than a month before the British proclamation of neutrality, he thus wrote of what he heard at this same Consul Bunch's dinner-table: "Again cropping out of the dead level of hate to the Yankee, grows its climax in the profession from nearly every one of the guests, that he would prefer a return to British rule to any reunion with New England."<sup>1</sup>

In like tenor, telling a few days later of a visit to the White House Plantation near Charleston, Russell describes how "after dinner the conversation returned to the old channel — all the frogs praying for a king — anyhow a prince — to rule over them."<sup>2</sup> He goes on:

After dinner the conversation again turned on the resources and power of the South, and on the determination of the people never to go back into the Union. Then cropped out again the expression of regret for the rebellion of 1776, and the desire that if it came to the worst, England would receive back her erring children, or give them a prince under whom they could secure a monarchical form of government. There is no doubt about the earnestness with which these things are said.<sup>3</sup>

Accordingly, writing under date of April 30, Russell, in a letter on the state of South Carolina, which appeared in the issue of the *Times* of May 28, thus expressed himself:

Shades of George III., of North, of Johnson, of all who contended against the great rebellion which tore these colonies from England, can you hear the chorus which rings through the State of Marion, Sumter, and Pinckney, and not clap your ghostly hands in triumph? That voice says, "If we could only get one of the Royal race of England to rule over us, we should be content." Let there be no misconception on this point. That sentiment, varied in a hundred ways, has been repeated to me over and over again. There is a general admission that the means to such an end are wanting, and that the desire cannot be gratified. But the admiration for monarchical institutions on the English model, for privileged classes,

<sup>1</sup> *My Diary*, I. 171.

<sup>2</sup> *Ib.*, 188.

<sup>3</sup> *Ib.*, 193.

and for a landed aristocracy and gentry, is undisguised and apparently genuine. With the pride of having achieved their independence is mingled in the South Carolinians' hearts a strange regret at the result and consequences, and many are they who "would go back to-morrow if we could."<sup>1</sup>

Recurring, however, to Consul Bunch, when in December, 1860, secession was really determined upon, he found a very different sentiment to report, and himself held quite positive opinions in regard to the arrogance and bombast of the citizens of Charleston. Writing to Lyons, December 14, 1860, he told how, returning to his home one evening, he met a military company, which from curiosity he followed, and which

drew up in front of the residence of a young Lawyer of my friends, after performing in whose honour, through the medium of a very brassy band, a Secession Schottische or Palmetto Polka, it clamorously demanded his presence. After a brief interval he appeared, and altho' he is in private life an agreeable and moderately sensible young man, he succeeded, to my mind at any rate, in making most successfully, what Mr. Anthony Weller calls "an Egyptian Mummy of his self." The amount of balderdash and rubbish which he evacuated about mounting the deadly breach, falling back into the arms of his comrades and going off generally in a blaze of melodramatic fireworks, really made me so unhappy that I lost my night's rest. So soon as the speech was over the Company was invited into the house to "pour a libation to the holy cause" — in the vernacular, to take a drink and spit on the floor.

Evidently Southern eloquence jarred on the ears of the British Consul. It may be, however, that another item recorded in this letter increased his tendency to criticism.

The Church Bells are ringing like mad in celebration of a newly revived festival, called "Evacuation Day," being the *nefastus ille dies* in which the bloody Britishers left Charleston seventy-eight years ago. It has fallen into utter disuse for about fifty years, but is now suddenly resuscitated apropos de nothing at all.

Judging by the material now brought to light, British consular and diplomatic opinion was in a very noticeable degree slower in making up its mind on the issues involved in our

<sup>1</sup> *Proceedings*, XLVI. 310.



struggle, and far more considerate to the Union side in expressing itself, than was the British newspaper press. It has been asserted by historians that the South had so long been dominant in Washington, and that society there was so distinctly pro-slavery in 1860, that foreign representatives naturally framed the accounts sent to their governments with strong Confederate proclivities. However this may be of other representatives, it does not hold good of the British Minister, Lord Lyons. From the first he occupied a noticeably impartial attitude, reporting with accuracy the results of elections in November, 1860, describing the consequent secession movement, the resignation of federal officials, and in general criticising the secession measures as "ill judged." He was in the beginning optimistic as to the existence of a conservative element in the slave states, and believed Lincoln himself to be in close touch with the more influential men so inclined. Throughout this period of obscure groping Lyons expressed his earnest hope that there might be no break-up of the Union. From England, Lord John Russell responded a similar hope. Nevertheless it is evident that the Foreign Secretary felt apparently certain that if a rupture did take place, it could only result in complete and final separation. So believing, he instructed Lyons, December 26, 1860, not to express any opinion which "events may contradict" and not "to seem to favor one party rather than the other." Indeed, Lyons was expected to refrain from all advice, unless asked for it by the state Governments; in which case he or the British Consuls were to advise against violence as tending toward civil war.

From that moment, when it was apparent that South Carolina was likely to lead the way in the secession movement, the problem had presented itself as to what would be the position of the British Consul at Charleston with regard to the collection of import duties at that port. On December 12, 1860, Lyons instructed Bunch to write to him presenting the case so that it might be communicated to the United States government. This Bunch did, and December 31 the matter was presented to Jeremiah S. Black, then acting as Secretary of State in Buchanan's Cabinet, having succeeded Lewis Cass. Black's answer was evasive. He replied that the United States must regard events in Charleston as acts of violent rebellion, and that the

payment of duties to South Carolina officials would be unlawful; but he refused to say what steps the Federal Government would take in regard to Bunch if he advised British merchants to pay these duties to South Carolina.

From the first, also, Lyons believed that Great Britain would find itself in a quandary because of the opposing influence of its anti-slavery sentiments and its commercial interests. He accordingly wrote (December 12, 1860) to Bunch: "The domestic Slavery of the South is a bitter pill which it will be hard enough to get the English to swallow. But if the Slave Trade is to be added to the dose, the least squeamish British stomach will reject it."

With the formal secession of South Carolina, Lord John Russell felt that the end of the Union had come. In a private letter to Lyons, January 10, 1861, he thus summed up his opinion:

I do not see how the United States can be cobbled together again by any compromise. South Carolina declares that by the original compact she has a right to secede, and she does secede. Lincoln's party declare that secession means rebellion, and must be put down by force. If force is not used no concession will satisfy S. Carolina. If force is used and is successful the South falls into a state of helpless dependence, and slavery will be abolished.

I cannot see any mode of reconciling such parties as these. The best thing *now* would be that the right to secede should be acknowledged, and that there should be separation — one Republic to be constituted on the principle of freedom and personal liberty, the other on the principle of Slavery and mutual surrender of fugitives.

I hope sensible men will take this view, and cease to struggle for a compromise. But above all I hope no force will be used.

It seems to me that the South has an enormous advantage in having two months more of a favourable Executive. By the 4th of March the position of the three States will be impregnable, except by mutiny and rebellion of the slaves.

I suppose Buchanan<sup>1</sup> meant by his message to dissolve the Union. This was a great responsibility to take upon himself. But in a legal sense I think the South in the right. The Personal Liberty Laws are contrary to the intention of the Constitution, and the Fugitive Slave Law. In a new Constitution the recovery of Slaves from another State ought not to be sanctioned.

Preach against force and civil war.

In this letter it will be observed slavery is depicted as a cause, the legal right of the South to secede is accepted, and Russell's hope lies in a possible peaceable separation. The same day official instructions were sent permitting Bunch to remain at Charleston, and instructing him that if asked to recognize South Carolina he should refer the question to the Foreign Office. "If his consular acts are not acknowledged, he should suspend his functions and report to me and your Lordship such refusal to acknowledge his acts." Subsequently it appears that the practical solution of the issue presented as to the payment of customs dues at Charleston, as devised by Consul Bunch, consisted in his advising those in control of British ships to pay the duties to the State authorities "under protest" as done "under compulsion." Thus any definite and important decision as to British attitude toward the State, claiming to be independent and sovereign, was avoided. The opinion of the Foreign Secretary that there could be no rehabilitation of the Union is shown also in a letter from Lord John Russell to Lyons, of January 22, 1861, in which the statement is made, "I suppose the break-up of the Union is now inevitable."

At this stage of development there was, of course, no more conception of the intensity and magnitude the struggle was to assume in Great Britain than in the United States. Russell indeed still hoped that the quarrel might yet in some way be arranged. Nevertheless, as Foreign Secretary he was compelled to face an actual situation — the connection of the issue presented with British commerce. So, February 16, we find he wrote to Lyons as follows, reflecting from abroad not unfairly the condition of bewilderment then prevailing on this side of the Atlantic — the period of the Peace Congress:

Events in the U. S. have been so astounding that I have been quite unable to know what to expect. At the same time the proceedings of President, Senate and H. of Reps. have appeared to me so foolish and aimless that I could not expect a good result. President Lincoln, looming in the distance is a still greater peril than President Buchanan.

The only hope I have is in Virginia where Washington seems to have left his mantle. A general Convention, a universal Armistice, and a fair deliberation on terms of amity seem to me to afford the only chance of either repairing the broken chain, or taking up the

separate links for a new combination. I fear our San Juan plan will break thro'.

Above all things endeavour to prevent a blockade of the Southern Coast. It would produce misery, discord, and enmity incalculable.

I am sure your calmness and good sense will direct our Consuls to avoid provoking national quarrels. Mr. Bunch seems to me to have been very discreet.

Within a week, W. E. Forster, a staunch and unquestioned friend of the national side throughout the war about to take place, was interrogating the Ministry in the House of Commons in regard to the situation at Charleston, and expressing the hope that England would not attempt in any way to interfere in the conflict in America.<sup>1</sup> Thus British commercial interests were forcing a keener attention to the American situation, and already men in governmental circles were asking themselves what should be the proper attitude toward the contest; how soon the new Southern Confederacy could claim European recognition; how far and how fast European governments ought to go in acknowledging such a claim; what indeed was to be the proper policy and position of a neutral power, should a declaration of neutrality be found necessary.

With these questions rapidly assuming shape, it became desirable for British public characters to know something about the persons leading in the Southern movement, the attitude of the people in general and the purposes of the newly established Montgomery government. Here, unfortunately, Lord Lyons could be no guide. He was cognizant indeed of the negotiations subsequently conducted at Washington, but ventured no positive opinion, even though he, like others, seems at first to have been convinced that there could be no reunion. The consuls in the South, however, were in better position to give their impressions.

The despatches of Consul Bunch sent at this time to the Foreign Secretary constitute, in the light of subsequent events, a highly interesting series. Dated from the British Consulate at Charleston in February and March, 1861, and marked "Confidential," they all reached the Foreign Office before the Government found itself called upon to take any decided action,

<sup>1</sup> *Hansard*, Vol. 161, 814. February 22, 1861.

and doubtless exercised a very considerable influence on the minds of those responsible for such action. The first of these communications was dated February 28, and in its essential parts reads as follows:

Since the date of my Dispatch to your Lordship of the 22d Instant, in which I had the honour to transmit the Inaugural Address of Mr. Jefferson Davis, the President of the "Confederate States of America," the appointments of most of the Cabinet Officers have been made and confirmed by the Congress. So far as I am informed, they stand thus:

Secretary of State, Mr. Robert Toombs, of Georgia;  
Secretary of the Treasury, Mr. C. G. Memminger, of South Carolina;  
Secretary of War, Mr. Leroy P. Walker, of Alabama;  
Secretary of the Navy, Mr. Stephen Mallory, of Florida;  
Post Master General, Mr. H. T. Ellet, of Mississippi;  
Attorney-General, Mr. Judah P. Benjamin, of Louisiana.

Before proceeding to offer to Your Lordship a few remarks upon the position and character of such of the above-named Gentlemen as I am acquainted with, either personally or by their reputation, I take leave to allude briefly to the President and Vice-President of the new Confederacy. . . .

. . . The views of Mr. Davis on all the questions of domestic policy which have agitated this Republic since his introduction into public life have been of the extremest Southern and Pro-Slavery character. He is a firm believer in the "manifest destiny" of the South to overrun and convert into slave-holding States of a Southern Confederacy, Mexico, Central America and Cuba. He was a warm advocate of the expeditions of Lopez, Walker and other Filibusters, and has endeared himself to the most advanced party of States' Rights men by his uncompromising support, in the Senate, of their doctrines. But I believe that his Election is attributable in a still greater degree to the high opinion which is entertained of his military capabilities. As it is confidently believed throughout the Southern Country that a Civil war is to result from the dissolution of the Union, it has been deemed prudent that the functions of Commander-in-Chief, which belong to the President, should be discharged by one who is both willing and able to take the field in case of necessity. His Election to the Presidency is most warmly welcomed by persons of all shades of political opinion.

Mr. Stephens, the Vice President, is a lawyer by profession, and about fifty years of age. He has been for many years a Member of the House of Representatives in Washington, where his elo-

quence has brought him some reputation. He is the Leader of the Moderate party in Georgia, and would, probably, not be very averse to the re-construction of the Union, could such be effected upon the basis of a proper security for the constitutional rights of the South.

Mr. Toombs, the Secretary of State, has been a Senator of the United States, and has occupied, otherwise, positions of importance in the Country. So far as I can learn his talents do not lie in the line of Diplomacy, as he is a violent and impulsive man. His oratorical powers are considered great, but they will scarcely be of much use in his present position. He is a man of the most advanced opinions; a Secessionist of the worst kind. I view his appointment as an unfortunate one, as it gives him practically the controul of the foreign policy of the Confederacy. It is hoped, however, that he will not hold the Office long.

Mr. Memminger, the Secretary of the Treasury, is a South Carolinian by birth, the reputed son of a low German, and brought up in the Orphan House of this City. He is a lawyer by profession, and a clear headed man. But he is notoriously uncertain in his conduct, a failing which has interfered with his success in his own State. Even now it is believed that his feelings are not enlisted in the present movement, the possibility of which he openly ridiculed but six months ago. He has been selected for the Treasury on account of his financial aptitude and great powers of sustained labour.

Of the remaining Members of the Cabinet there is not much to be said. They are all more or less known in their own States and even in the general politics of the Country. Messrs. Mallory and Benjamin have both been in the Senate of the United States. But I am compelled to say that, with the single exception of the President, not one of the Statesmen of the new Confederacy rises above that dead level of mediocrity to which the popular institutions of this Republic seem to have condemned its political leaders. The bombastic self-glorification, so common in the United States, sees in every ordinary speaker a Burke, in every moderately clever lawyer an Eldon, in every Captain of Militia a Napoleon or a Wellington; but I fear that the general opinion of the world will hardly recognize such claims when preferred on behalf of the present leaders of public opinion in this Country, whether at the North or South.

In the uncertainty which hangs over everything connected with even the immediate condition of the Southern Confederacy, it would be premature, and under any circumstances, perhaps, unnecessary, that I should trespass upon Your Lordship's leisure with any observations respecting its possible future. But I venture, upon the ground of my long residence in the United States, and

principally of my knowledge of the Southern Country, to express to Your Lordship my firm conviction that the new Republic will never rise to eminence as a great power of the earth. It is, in the first place, founded upon the possession of what may be called a monopoly of one single production — Cotton. So soon as this Staple is subjected to competition, (and may that day soon arrive) so soon as its cultivation is impeded or destroyed by causes either physical or political; so soon as some cheaper or more available fibre shall be substituted for it, from that moment does the importance of these Southern States diminish and their claim to consideration disappear. But this new Confederacy is based, in the second place, upon the preservation and extension of Negro Slavery. It seems, to my humble judgment, quite impossible that in the present age of the world, a Government avowedly established for such purposes can meet with the sympathy and encouragement which are as necessary to Nations as to Individuals, or that a system should be successfully inaugurated which starts upon a principle of defiance to the sentiments of nature and of civilization. I do not, of course, mean that Foreign Nations are to interfere with the domestic institutions or plan of labour of these new States, but I do believe that they will be practically ostracized by the public opinion of the world, and only considered, under the most favourable circumstances, as growers of Cotton and of Rice. But there is still another ground upon which the new Confederacy is likely to rouse the susceptibilities of Foreign Governments and to create an unfavourable impression abroad, that is to say, the filibustering tendencies which, I feel assured, will develop themselves so soon as the dread of war with the North shall have proved unfounded. These propensities may, it is true, be easily restrained by the action of the great Powers of Europe, but the desire to carry them into practice will exist, and will, doubtless, have to be repressed.

The next despatch is dated March 21, and was received at the Foreign Office on the 9th of April — that is, three days prior to the attack on Sumter. It reads as follows:

The Congress of the Confederate States, held at Montgomery, adjourned on the 16th Instant, to meet again at the same place on the 2nd of May. Amongst other acts of public importance emanating from it to which I shall take occasion to invite Your Lordship's attention by this Mail is to be found the appointment of Commissioners to the various Courts of Europe. I propose in the present Despatch to submit a few remarks to Your Lordship on the subject of these gentlemen and their Mission.

The Commissioners are three in number; Mr. Dudley Mann, of Virginia, Mr. Yancey, of Alabama, and Mr. P. A. Rost, of Louisiana. It is stated that they have already left Montgomery for New Orleans where they will embark for the Havana, taking from thence the English Mail Steamer to Southampton, on the 27th Instant.

Mr. Dudley Mann, the son of a bankrupt grocer in the eastern part of Virginia, has been called to his present post by the Southern Congress in consequence of his having had some experience of what is known here as "Court life," meaning, the management of public affairs in Europe. His appointment has given great dissatisfaction to many persons in the South, . . . partly on account of his having been brought from a State which is not a Member of the Southern Confederacy. He is, moreover, given in the Official Lists as belonging to Ohio, an Abolition State, his appointment as Under Secretary of State under the Government of Washington having been made from that State. Mr. Mann has been employed on several occasions in Europe, having negotiated a Treaty on behalf of the United States with Switzerland, and having been sent by Mr. Webster into Hungary, in 1850, with a roving Commission, to encourage the Hungarians, a fact of which the Government of Austria was fully sensible, and of which it shewed its appreciation by declaring, through its Minister at Washington, that it would hang Mr. Mann without scruple in case of necessity. On his return from this Mission, he was made Under Secretary of State, after the termination of which employment he was interested in the attempt to establish direct trade by steam between the Southern States and Europe. He is said by those who knew him well to be a mere trading Politician, possessing no originality of mind and no special merit of any description.

Mr. Yancey is a lawyer of very considerable repute in the State of Alabama, and, undoubtedly, a man of ability. But the line of his talent is not supposed to lie in the direction of Diplomacy. He is a fluent speaker, admirably adapted for "stump" oratory, and possessing much power over the masses, but he is impulsive, erratic and hot-headed; a rabid Secessionist, a favourer of a revival of the Slave Trade and a "Filibuster" of the extremest type of "manifest destiny." His services to the cause of Secession have been great, and it is felt that he has a claim to anything which he may choose to demand. It is supposed that he has made a point of his nomination to this Mission, and that he could not be refused.

The third Commissioner, Judge Rost, is altogether unknown to me, and so far as I can learn, to everyone else. He is stated to be a respectable sugarplanter from Opelousas, in Louisiana, and this seems to comprise all that can be said respecting him.



I am not in a position to offer to Your Lordship any trustworthy observations upon the character of the Instructions with which the Commissioners have been furnished, but I feel perfectly assured that they are predicated upon the fact of the vital, absolute necessity to Europe, and, of course, especially to Great Britain, of Cotton, which is supposed here to warrant the Confederate States in taking high ground, and in treating their recognition by Foreign Powers as a matter of comparative indifference, unless it be granted on their own terms. Their exaggerated idea of the importance of the Southern States to Great Britain is really ludicrous. It actually amounts to the belief, conscientiously entertained, that to withhold the supply of Cotton for one year, would be to plunge England into a Revolution which would alter the whole condition of her existence. Courteous of manner, as I am bound in justice to say that the better classes of Southerners are to Foreign Representatives, the exultation which they feel at having placed us in the position of dependents on their pleasure, cannot be concealed in their conversations with me, whilst those with whom I am at all familiar openly tell me that we cannot live without them. Disliking us violently as the Southern people do, on account of our hostility to Slavery, the supposed opportunity of humiliating us is too tempting to be allowed to slip, and I shall be much mistaken if Your Lordship does not discover the existence of this feeling should the Commissioners be honoured by personal intercourse with you.

But the Envoys will also carry with them the means of enlisting the good will of the great commercial Nations of Europe towards their Confederacy in the liberal character of their Tariff, which will, at the least, offer a marked contrast to the stringent regulations recently adopted by the United States. The Southern Congress has adjourned without actually passing the new Tariff which I erroneously informed Your Lordship, in my Dispatch, No. 35 of the 14th Instant, that it had adopted, but there is no doubt that its provisions will be carried out, with some small modifications, as soon as the Congress shall re-assemble. This, with the opening of the Coasting trade to foreigners will, I make no doubt, be urged by the Commissioners as a strong ground for recognition.

The third and last despatch which is of importance in the present connection was dated April 19, and was received at the Foreign Office on the 10th of May — four days before the arrival of Mr. Adams. Already, a week before, on the second of the month, the three Commissioners — Yancey, Rost and Mann — had been granted an informal interview, in no way implying recognition, by the Foreign Secretary. The legal

questions involved in the action of the Federal Government had been referred to the law advisers of the Crown. On the 6th of May Lord John Russell formally announced in the Commons the policy of neutrality and that belligerent rights would consequently be conceded to the Confederacy. On the 9th, Sir George Lewis, the Secretary of War, communicated to Parliament the Queen's Proclamation. On the 11th, President Lincoln's Proclamation of Blockade was officially communicated to the British Government by Mr. Dallas. On the 14th, the day before the arrival of Mr. Adams in London, the Queen's Proclamation appeared in the *Gazette*. The following despatch, therefore, arrived too late to exercise any influence on the action of the government, but it nevertheless was distinctly confirmatory of the conclusions previously arrived at and upon which action had been based. It reads as follows:

Since the fall of Fort Sumter on the 13th Instant there has been no event of marked importance within the State of South Carolina. The Squadron of Men of War and Transports which was to be seen off the Harbour of Charleston during the attack upon the Fort has disappeared, and no attempt has been made either to retake the Fort or to retaliate upon the Confederate Forces, although this matter would be easy in their present exposed and disorganized condition. Thus far in the contest, the military movements of the United States have been characterized only by weakness and indecision. No advantage has been taken of their manifest superiority in numbers, and especially of the possession of the entire Navy. We can only hope that this vacillation proceeds from a desire on the part of Mr. Lincoln to avoid, if it be possible, a civil war.

In the meantime, the Southern cause is daily gaining strength, and I have no doubt whatever that the whole fifteen Slave-holding States will soon be united under the Flag of the Confederate States. North Carolina, which forms a portion of this Consular District, is on the high road to Secession, having already taken possession of the Federal Forts by order of the Governor, Mr. Ellis.

In the event of actual conflict I am inclined to think that the South will, at the least, hold its own with the United States. It is true that it is inferior in Population, Resources, and general enlightenment to its gigantic neighbour, but then it is thoroughly in earnest, and there is no difference of opinion amongst its inhabitants. They all believe that they will have to fight for their very existence, and above all, to save their wives and children from the fury of the servile race. The North, on the contrary, is greatly

divided in sentiment. Thousands there side with the South in this unhappy question, and even of those who desire to maintain the integrity of the Union, a large proportion are not prepared to coerce their brethren into a permanent connexion with a Government which is distasteful to them.

Fears are entertained by many that the Union of the fifteen Slave states may increase the probabilities of war. I do not incline to this opinion, but rather believe that the very aspect of such an unanimity of purpose may deter the Government of Mr. Lincoln, or, what is of more consequence, the conservative portion of the North, from commencing a conflict which can only end in the ruin of both sections of this distracted Country. A very few weeks must decide the question. The success of Fort Sumter has increased the warlike feeling here, but even here the difference is fully appreciated between the defence of their own soil and a war of aggression beyond its limits.

While Consul Bunch's entire characterization was condemnatory, it will be noted that he never questioned the fact that the South had already actually established its independence. This he seems indeed to take for granted. The influence of such a conclusion reached by an intelligent official on the spot upon the mind of the Foreign Secretary at just this formative period is obvious.

Up to the end of January, 1861, Lyons had not reported in any detail his views as to the administration about to be installed at Washington. The make-up of the incoming Cabinet of President Lincoln was indeed yet uncertain; that Seward would be Secretary of State had been made known, and it was assumed that his would be the controlling influence in the Cabinet. At this time the inchoate "Premier" was deeply involved in those attempts at Southern conciliation which, now matter of familiar history, later drew upon him much criticism. Occasionally, however, the foreign representative found some opportunity to talk with the senator from New York, and on February 4, 1861, in an official letter to Russell, Lord Lyons says:

Mr. Seward's real view of the state of the country appears to be, that if bloodshed can be avoided until the new Government is installed, the seceding States will in no long time return to the Confederation. He has unbounded confidence in his own skill in managing the American people. He thinks that with the influence and

the Patronage of the Federal Government at his command, he shall have little difficulty in turning the tide of popular feeling in the South. He thinks that in a few months the evils and hardships produced by secession will become intolerably grievous to the Southern States; that they will be completely reassured as to the intentions of the Administration; and that the conservative element which is now kept under the surface by the violent pressure of the Secessionists, will emerge with irresistible force. From all these causes he confidently expects that when the Elections for the State Legislatures are held in the Southern States in November next, the Union party will have a clear majority, and will bring the seceding States back into the Confederation. He then hopes to place himself at the head of a strong Union party, having extensive ramifications both in the North and in the South, and to make *Union* or *Disunion*, not *Freedom* or *Slavery* the watchwords of Political Parties. I am afraid he would not be reluctant to provide excitement for the public mind by raising questions with Foreign Powers.

In all this Mr. Seward seems to take it for granted that Mr. Lincoln will leave the whole management of affairs to him.

The series of despatches and even more the private letters now exchanged between Lord Lyons and Lord John Russell are of exceptional interest, throwing, as they do, much light upon the disposition of those then representing Great Britain and guiding its policy. They disclose the information upon which action was based. The most noticeable feature was, perhaps, the complete absence of guidance, so far as those about to be responsible for the American outcome were concerned, and the consequent utter impossibility under which the foreign representative labored of forming any accurate forecast of the policy proper, under the circumstances, to be pursued. The divergence of individual judgment was complete; yet everyone, groping his own way, none the less felt the utmost confidence in the conclusions he had reached, quite irrespective of the altogether different conclusions reached by others. Throughout the British correspondence this confusion of thought and council is reflected. The following, for instance, is from a despatch of Lord Lyons to Consul Bunch in Charleston, South Carolina, written December 12, 1860 — immediately after the election of Lincoln and before the secession of South Carolina had actually taken place:

I wrote to Lord J[ohn] R[ussell] concerning some of the puzzling questions likely to be raised by the secession of South Carolina. . . . Your conversation with Mr. Pitt is very important. . . . I am afraid the very exaggerated and very false ideas they have in the South about cotton will lead to very foolish conduct. It is true that cotton is almost a necessity to us, but it is still more necessary for them to sell it than it is for us to buy it. Besides there are plenty of places where cotton can be grown. The only difficulty is to produce it as cheaply as in these States: the moment the price rises above a certain point it will be extensively cultivated in many parts of the world.

Suppose the notion of the South's withholding its cotton could possibly be realised, it is evident from all experience that other cotton would be got elsewhere or a substitute be found and that the old state of things would never return.

It seems to be very generally thought here, that the S. C'ians will be persuaded to let the U. S. Customs Authorities work on for a time, until the negotiations for an amicable secession either succeed or are abandoned. If not, I suppose the Fed. Gov. must either send a man-of-war to collect the duties or must make some arrangement, by which foreign vessels as well as those of the non-seceding States must be saved from incurring loss or inconvenience from its neglecting to do so. Technically, I suppose it might declare Charleston to be no longer a Port of Entry, and then treat all vessels landing cargoes there as smugglers. But I do not suppose it would resort to a childish measure of this kind.

The following letter from Lord Lyons to Lord John Russell, dated Washington, January 7, 1861, is marked "Private and Confidential." A portion of the letter has already been used by Lord Newton in his *Life of Lord Lyons* (i. 30).

With regard to Great Britain, I cannot help fearing that he [Seward] will be a dangerous Foreign Minister. His view of the Relations between the United States and Great Britain has always been that they are a good material to make political Capital of. He thinks at all events that they may be safely played with — without any risk of bringing on a war. He has even to me avowed his belief that England will *never* go to war with the United States. He has generally taken up any cry against us — but this, he says, he has done from friendship, to prevent the other Party's appropriating it, and doing more harm with it, than he has done. The temptation will be great for Lincoln's Party, if they be not actually engaged in Civil War, to endeavour to divert the Public excitement

to a Foreign Quarrel. I do not think Mr. Seward would contemplate actually going to war with us, but he would be well disposed to play the old game of seeking popularity hereby displaying insolence towards us. I don't think it will be so good a game for him, as it used to be, even supposing we give him an apparent Triumph; but I think he is likely to try to play it.

This makes me more than ever impatient to settle the San Juan and Hudson's Bay Questions. I confess however I am almost in despair about them. If General Cass had staid in office, I really believe the thing might have been done in time. The choice of the Attorney General, Mr. Black, for a successor to him is most unfortunate. He is a lawyer, who can only attend to one thing at a time, and neglects all other business now in order, I suppose, to give the President legal advice on the Crisis. There are not eight weeks left of Mr. Buchanan's Administration. It was impossible to get the simplest bit of business through Mr. Black's office in that time, when he was Attorney General.

In a letter, marked "Private," of January 21, 1861, Lyons wrote to William S. Lindsay, M.P., subsequently so pronounced a Confederate sympathizer:

. . . It is really impossible to get any of the official people here to give a moment's attention to any matter, however important, which has not a direct bearing upon the question of the dissolution of the confederacy. Each time I have entered with them upon the subject of your proposals they have been less heedful of what I have said. Still I think I might have done something, had the men who discussed the subject with you remained in office. But General Cass, Mr. Cobb and Mr. Trescott have all abandoned the Administration. From the President himself, harassed as he is with dissensions in his Cabinet, as well as with the perilous state of the country, one can hardly expect attention to the details of other business. The new Secretary of State is rarely to be found at the State Department, and is seldom or never prepared to speak upon any other subject than the crisis. The Members of Congress are as little disposed as the Members of the Executive Government to turn their attention to matters less exciting than disunion and civil war. In fact the house is on fire, and neither those who are fanning the flames nor those who are endeavouring to extinguish them, can think of anything but the conflagration.

In a letter to Lord John Russell, dated January 21, 1861, marked "Private," Lyons said:

The absence from his Post of Mr. Tulin, the Consul at Mobile, in Alabama, is inconvenient. There is an idea that the Southern Congress will be held at Montgomery the Capital of that State — and it might be convenient to have some one who could be depended upon to watch its proceedings. To send a special Agent, whether avowedly as British Agent or not, would probably give rise to a great deal of suspicion and annoyance here and in the North. It would raise awkward questions, if we were to appoint a *new* Consul at this moment for an Exequatur: the seceding State would probably not allow a Consul to act, who held an Exequatur from the Federal Government granted since the Secession.

The following extract from a letter of Charles Greville to Lord Clarendon, written at this time, and printed in Maxwell's *Life of Clarendon* (II. 237), throws incidental light upon the views as respects cotton as an industrial staple, the institution of slavery, and the possible impending outcome of the American situation, somewhat vaguely entertained by prominent English public men:

. . . Any war will be almost sure to interfere with the cotton crops, and this is really what affects us and what we care about. With all our virulent abuse of slavery and slave-owners, and our continual self-laudation on that subject, we are just as anxious for, and as much interested in, the prosperity of the slavery interest in the Southern States as the Carolinian and Georgian planters themselves, and all Lancashire would deplore a successful insurrection of the slaves, if such a thing were possible.

The following from Lord Lyons to Lord John Russell, marked "Private and Confidential," was written just as the sessions of the Peace Congress at Washington were about to begin. It was dated February 4, 1861:

Mr. Everett, who is here with a monster Union Petition from Boston, came to me a few days ago in a state of great despondency about the Country. He said it had occurred to him that perhaps the mediation of the Great Powers of Europe between the North and South might be beneficial. It would not do, he said, for England alone to offer her mediation — but she might do so in conjunction with France and Russia. Such a mediation he thought would probably take place in Europe, if any of the States on that Continent should be in the same condition as was the Confederation. I reminded Mr. Everett that the States of Europe regarded them-

selves as belonging to the same political family, while hitherto the United States of America had haughtily repudiated the notion that the Powers of Europe had any title to interfere, and this not only as to the affairs of the United States themselves, but as to those of any other part of America. Would it not cause a great deal of irritation in this Country, if Europe now came forward to settle the domestic quarrel now raging here? Mr. Everett said, perhaps it would, but still he thought a declaration of the Great Powers of Europe would have great effect on the Southern States, which looked a great deal to Foreign support. He said that he had hinted something of the kind to the Russian Minister, M. de Stoeckl — but that he had not mentioned the idea to anyone else here — and he begged me not to allow it to transpire here that he had spoken to me about it.

I have never heard anything of the kind suggested by any one but Mr. Everett. I should very much hesitate to proffer mediation *unasked*. Among other difficulties, I doubt whether Public Opinion in England could be brought to the point of toleration of Slavery, at which even Northern Americans (except the most ardent abolitionists) have arrived. It would I should think, be difficult for England to be a party to an arrangement for securing and perpetuating Slavery anywhere — and the Northern States are quite ready to yield on everything except the *extension* of Slavery.

I have given you an account in a Despatch to-day (No. 40) of a long conversation I had yesterday with Mr. Seward. He is extremely friendly to me personally — but I confess my fears of him as Foreign Secretary are increasing. He was especially unsatisfactory on the Tariff question. He repeated (no doubt for my instruction) a conversation he had had with M. Schleiden, the Bremen Minister, who appears to have suggested the imprudence of giving European Commerce and consequently European Governments strong reason for supporting the South. Mr. Seward said he had told M. Schleiden that nothing would give so much pleasure as to see a European Power interfere in favour of South Carolina — for that then he should “pitch into” the European Power and South Carolina and the seceding States would soon join him in doing so. I am afraid he takes no other view of Foreign Relations, than as safe levers to work with upon public opinion here.

He says that the reason he will not commit himself to any definite plan for a settlement of differences at present, is that he is sure that at this moment no plan would be accepted by both Parties — and that he does not choose to weaken his position by making himself responsible for a rejected Plan. In this I think he is wise. Whether he will bring about a better state of things as soon as he expects, remains to be seen.



It was in apparent reply to suggestions of this character that Lord John Russell at a later day wrote Lord Lyons from the Foreign Office, April 6, 1861, a memorandum submitted before transmission to Lord Palmerston, and reading as follows: "I have to instruct you to recommend conciliation in the event of your Lordship's opinion being requested, but never to obtrude advice unasked."

Recurring to the earlier stage of development, the question of the San Juan water boundary was then under discussion. President Buchanan sent a message to the Senate on this subject February 21, 1861.<sup>1</sup> Referring to this message, Lord Lyons wrote to Lord John Russell in a letter marked "Private and Confidential," as follows:

I am very glad indeed to get the Draft of a Convention about San Juan etc., and I shall attack the President himself about it immediately. I am afraid he will tell me that it is impossible for him to attend to it, that it is too late, or (what I fear is true) that it would be impossible for him to carry it in the Senate, now that the Seceding Senators have withdrawn. Nevertheless it is our last chance, and I am more than ever anxious to get these questions out of the way before Mr. Seward comes in. For he shows more than ever a disposition to play his old game, of raising excitement by a dispute with Foreign Powers — and of course England is the power most useful for his purpose. He has asked one of our Colleagues to invite the French Minister, Mr. Mercier, and me to dinner, in order that he may talk politics with us. I should not be the least surprised if he were to tell us both not to be annoyed if he used a high tone with us, and appeared hostile to France and England, for that he would be merely conforming to a necessity of his position, and would be actuated by the kindest motives towards the two countries. I had hoped that he had been convinced of the danger of this game by a conversation which he had with the Duke of Newcastle at Albany; but he has such unbounded confidence in his own sagacity and dexterity, that nothing which can be said to him makes much impression.

Such being, as I believe, the disposition of the man who will be at the head of the Foreign Department and Prime Minister of this Government in three weeks' time, it may perhaps be worth considering whether it will not be more than usually important to act, if possible, in concert with France, should it become necessary to resist attempts to exclude our vessels from Southern Ports. As I

<sup>1</sup> *Works*, XI. 148.

mentioned in my last letter, Mr. Seward himself told me that he *wished* some Foreign Power to resist any measure taken against South Carolina. He would hardly, I suppose, adopt an intolerable tone of bullying towards England and France united; although, in language at least, nothing would probably exceed his fierceness towards England, if he thought he had her alone to deal with.

He is playing a difficult game in home politics. On the one hand, he tries to rally moderate opponents by vague conciliatory speeches; on the other hand, he keeps his own Party together by pointing out that he has never *voted* for any concession whatever, and declaring that he never will.

Moreover he has little or no personal acquaintance with the President Elect, and very little knowledge of his views or intentions, or means of judging of the amount of influence he himself will have with the new Chief Magistrate.

This letter, it will be noted, was written prior to the inauguration of President Lincoln. I come now to the subsequent period, after Lincoln had been inaugurated and Seward, ceasing to be a member of the Senate, had been installed as head of the Department of State.

In a despatch of March 18, 1861, marked "Private," Lyons wrote as follows:

Upon the troubles of the country I go in conversation little beyond preaching vaguely peace and conciliation, except on the one point of interference with Foreign Commerce. I have not hesitated to urge the considerations against that, pretty strongly — and to point out that it would in all probability be a fatal step to the party which first adopted it, by bringing the Powers of Europe into the quarrel, and throwing their weight into the other scale.

The date of the following despatch (March 26, 1861) is of much interest, read in connection with the record of Secretary Welles covering the same momentous period. Concerning that period, Mr. Welles wrote:

The Secretary of State spent much of each day at the Executive Mansion and was vigilant to possess himself of every act, move and intention of the President and of each of his associates. Perhaps there was an equal desire on their part to be informed of the proceedings of the Administration in full, but less was known of the transactions of the State Department than of any other.<sup>1</sup>

<sup>1</sup> *Diary*, I. 14.

Lord Lyons's despatch to Lord Russell is as follows:

Mr. Seward came to me on the evening of the 20th instant, and asked me to let him speak to me very confidentially. He went on to express great apprehension lest *any* Power should recognize the Southern Confederacy. He seemed even to feel alarm lest Brazil or Peru should do so. In fact the immediate object of his visit appeared to be, to endeavour to ascertain through me, whether there could be any truth in private information which had reached him that Brazil had determined already to recognize the new Confederacy. Brazil, he said, might perhaps be led to do so, by community of feeling on Slavery; and Peru might hope to avoid a compliance with the demands made by the late Administration. He then told me that he was studying the Papers on the Peruvian Question, with an earnest desire to find that the late Administration were in the wrong. He said that at all events he should be disposed to renew Diplomatic Relations with Peru and reopen the negotiations; possibly he might in the end be compelled to come to the same conclusion to which his Predecessor had come, but he sincerely hoped not. He wished to avoid giving Peru any motive for recognizing the Southern Confederacy; "besides," he added, "the case of the Peruvian Government is just our own at Charleston."

The Peruvian Papers, to which Mr. Seward referred, were those submitted to Congress, of which a copy was put into my hand by Judge Black on the 7th January, and transmitted to you in my Despatch of the 10th of that month, No. 9. Speaking generally, the principle asserted in them by the United States Government, was that a Foreign vessel having complied with the regulations of a *de facto* Government which it found in power at a Port, was not afterwards liable to be called to account by a *de jure* Government.

I told Mr. Seward that I could not offer an opinion as to the probability of the Peruvian Government's recognizing the Southern Confederacy; but that I could not help thinking that the applicability of the principle maintained by the late Administration to the present state of affairs at Charleston, and other Southern ports, was a reason for wishing to find it correct and not erroneous. It seemed to me, I said, to afford the Government of the United States a good foundation for adopting the course most consonant to their interests; in fact to enable them to avoid interfering with Foreign Commerce and so getting into trouble with Foreign Powers, and at the same time to maintain, if they pleased, that the authority *de jure* in the Southern Ports still belonged to the United States.

Mr. Seward observed that he considered it all important to ward off a crisis during the next three months — that he had good hopes,

that if this could be effected, a counter-revolution would take place in the South — that he hoped and believed that it would begin in the most distant State, Texas; where indeed he saw symptoms of it already. It might be necessary towards producing this effect to make the Southern States feel uncomfortable in their present condition by interrupting their commerce. It was however most important that the new Confederacy should not in the mean time be recognized by any Foreign Power.

I said that certainly the feelings as well as the interests of Great Britain would render Her Majesty's Government most desirous to avoid any step, which could prolong the quarrel between North and South, or be an obstacle to a cordial and speedy reunion between them, if that were possible. Still, I said, if the United States determined to stop by force so important a commerce as that of Great Britain with the cotton growing States, I could not answer for what might happen.

Mr. Seward asked whether England would not be content to get cotton through the Northern Ports, to which it could be sent by land.

I answered that cotton, although by far the most important article of the trade, was not the only point to be considered. It was however a matter of the greatest consequence to England to procure cheap cotton. If a considerable rise were to take place in the price of cotton, and British Ships were to be at the same time excluded from the Southern Ports, an immense pressure would be put upon Her Majesty's Government to use all the means in their power to open those ports. If Her Majesty's Government felt it their duty to do so, they would naturally endeavour to effect their object in a manner as consistent as possible, first with their friendly feelings towards both sections of this Country, and secondly with the recognized principles of International Law. As regarded the latter point in particular, it certainly appeared that the most simple, if not the only way, would be to recognize the Southern Confederacy. I said a good deal about my hopes that Mr. Seward would never let things come to this, with which it is not necessary to trouble you.

I thought Mr. Seward, although he did not give up the point, listened with complacency to my arguments against interference with Foreign Commerce. He said more than once that he should like to take me to the President to discuss the subject with him. The conclusion I came to was that the questions of a forcible collection of the duties in the Southern Ports, and of a blockade of those Ports were under discussion in the Cabinet, but that Mr. Seward was himself opposed to these measures, and had good hopes that his opinion would prevail.

It would appear however that a change took place in the inter-

val between this conversation and yesterday. Mr. Seward, the principal Members of the Cabinet, the Russian Minister, M. de Stoeckl, and the French Minister, M. Mercier, with some other people dined with me. After dinner Mr. Seward entered into an animated conversation with my French and Russian Colleagues and signed to me to join them. When I came up I found him asking M. Mercier to give him a copy of his instructions to the French Consuls in the Southern States. M. Mercier made some excuse for refusing, but said that what the instructions amounted to was that the Consuls were to do their best to protect French Commerce "sans sortir de la plus stricte neutralité." Mr. Seward then asked me to give him a copy of my instructions to Her Majesty's Consuls. I of course declined to do so, but I told him that the purport of them was, that the Consuls were to regard questions from a Commercial not from a political point of view; that they were to do all they could to favour the continuance of peaceful commerce, short of performing an act of recognition, without the orders of Her Majesty's Government.

Mr. Seward then alluded to the Peruvian Papers, and speaking as he had done all along very loud, said to my French and Russian Colleagues and me: "I have formed my opinion on that matter, and I may as well tell it to you now as at any other time. I differ with my Predecessor as to *de facto* Authorities. If one of your ships comes out of a Southern Port, without the Papers required by the laws of the United States, and is seized by one of our Cruisers and carried into New York and confiscated, we shall not make any compensation." My Russian Colleague, M. de Stoeckl, argued the question with Mr. Seward very good-naturedly and very ably. Upon his saying that a Blockade to be respected must be effective, Mr. Seward replied that it was not a Blockade that would be established — that the U. S. Cruisers would be stationed off the South Coast to collect duties, and enforce penalties for the infraction of the United States Customs Laws. Mr. Seward then appealed to me. I said that it was really a matter so very serious that I was unwilling to discuss it; that his plan seemed to me to amount in fact to a paper blockade of the enormous extent of coast comprised in the seceding States; that the calling it an enforcement of the Revenue Laws appeared to me to increase the gravity of the measure, for it placed Foreign Powers in the Dilemma of recognizing the Southern Confederation or of submitting to the interruption of their Commerce.

Mr. Seward then went off into a defiance of Foreign Nations, in a style of braggadocio which was formerly not uncommon with him, but which I had not heard before from him since he had been in office. Finding he was getting more and more violent

and noisy, and saying things which it would be more convenient for me not to have heard, I took a natural opportunity of turning, as host, to speak to some of the ladies in the room.

The immediate question which is critical is whether we shall admit the Southern Privateers and their prizes into our Ports.

M. de Stoeckl, and M. de Mercier inferred, as I do, that within the last two days, the opinions of the more violent Party in the Cabinet had prevailed, at all events for the moment — and that there is a danger that an interference with Foreign Trade may take place at any moment. I hope it may still be prevented by the fear of its producing a recognition of the Southern Confederacy. But I am afraid we must be prepared for it.

It may perhaps be well, with a view to the effect on this Government, that the Commissioners who are on their way to Europe from the Southern States, should not meet with too strong a rebuff in England or in France. Such a rebuff would be a great encouragement to violent measures here. In fact, notwithstanding my contradictions, the Senate, and indeed, I fear, the President, is not uninfluenced by the bold assertions made by some Members of the violent Party, that they have positive assurances from Your Lordship and other Members of Her Majesty's Government that *under no circumstances whatever* will Great Britain recognize the independence of the South.

M. Mercier thinks it advisable that he and I should have a discretionary power to recognize the South. This seems to me to be going too fast. I should feel a good deal embarrassed by having such a power in my pocket, unless the contingency in which it was to be used should be most clearly stated. What does appear to be of extreme importance is that England and France should act in concert.<sup>1</sup>

In this connection the dates are of extreme historical interest, affording, as they do, a glimpse of chaotic conditions. March 29, the British Minister is advising the Foreign Secretary in London that "prudent counsels appear to be again in the ascendant"; meanwhile, only three days later, on April 1, the American Secretary of State is handing the President a memorandum, subsequently referred to (III. 445) by Nicolay and Hay as "an extraordinary State paper, unlike anything to be found in the political history of the United States" — a recommendation of world-warfare as a desirable alternative to domestic disturbance. That memo-

<sup>1</sup> Newton, *Lyons*, I. 31.

randum was on March 29 in the pocket of the Secretary ; and yet, fairly incomprehensible as such a statement now sounds, it is none the less true that with a vital crisis immediately as well as obviously impending, there had been as yet not a "single [Cabinet] sitting to deliberate on the general line of policy [to be adopted] towards the Southern Confederacy." All this we now know. Had, however, Lord Lyons and Lord John Russell at the time been cognizant of it, could the conditions have been considered by them other than fairly incomprehensible? Would, under such circumstances, any line of action foreign nations might have decided upon been unwarranted? In the light of Seward's memorandum, would a policy of friendliness naturally have suggested itself?

On the 9th of April, in a letter marked "Private," Lord Lyons thus expresses himself as respects the President:

I am doing all I can to make the Government here aware of the disastrous effect of their blockading the Southern Ports, or attempting to interfere with Foreign Commerce. Mr. Lincoln has not hitherto given proof of his possessing any natural talents to compensate for his ignorance of everything but Illinois village politics. He seems to be well meaning and conscientious, in the measure of his understanding, but not much more.

On the 12th of April, the date of the attack on Fort Sumter, Lord Lyons wrote as follows:

Immense activity is shown in fitting out ships of war in several of the Dockyards. In fact the coercion party having at last got their own way in the Cabinet, are doing their best to make up for lost time.

If solemn declarations are adhered to, the immediate consequence will be civil war and the secession of the Border States. There is still perhaps *some* hope, that the evident disinclination on both sides to shed blood, may render the coercion mild and the resistance nominal. I am afraid the probabilities are the other way.

I do hope they will not be so ill-advised as to interfere with Foreign Commerce. But all these naval preparations look painfully like a blockade.

A week later, April 23, the crisis in Charleston having in the meantime arrived, Lord Lyons thus wrote in a despatch marked "Private":

My own opinion is that any interference in the quarrel at the present moment, short of a down right alliance with one side against the other, would probably only bring upon us the hatred of both. Such an alliance is of course entirely out of the question.

The Blockade has not yet been officially announced to me. If it be carried on, with reasonable consideration for Foreign Flags, and in strict conformity with the Law of Nations, I suppose it must be recognized. At all events it could hardly be disputed without express orders from Her Majesty's Government. Before such orders could arrive, the season during which British vessels ordinarily frequent the Southern Ports would be over.

I understand that the Northern Ports insisted upon a Blockade, as a *sine qua non*, condition of their giving their support to the Government. Of course they could not endure to see Foreign Trade diverted to the South.

As regards the Southern Privateers, I suppose the principle of Neutrality would prevent our interfering with them either — unless they threatened danger to our Merchant Vessels, or filibustering expeditions against places not in the United States. The United States Navy ought to be quite sufficient to keep them down, and there can be no doubt of its desire to do so. As a matter of technical law, I suppose we have the right to seize Privateers, if we please, which sail under a flag which we do not recognize.

I have just seen the Consul and Vice Consul from Baltimore who have come over to report to me the state of affairs there. They describe the anti-union and anti-North excitement as tremendous. The town seems to be entirely in the hands of the Mob. The Vice Consul, who has managed to get through from New York, says that the excitement there against the South, and especially against the Baltimore people, is equally fierce.

At Washington great alarm is felt, first, lest the town should be immediately attacked from the South; and secondly, lest it should be starved, as both Virginia and Maryland refuse to allow provisions to come to it. These alarms seem not to have much foundation.

The following, marked "Private," was written from Washington, April 27, 1861, in the midst of the confusion which prevailed after the fall of Sumter:

In common with the most influential of my Colleagues, I exhausted every possible means of opposition to the Blockade. The great North Eastern Cities insisted upon it, not only as a measure of vengeance, but as one essential to the preservation of their own



prosperity. They could hardly be expected to make sacrifices for the contest, unless they were secured from seeing their Trade diverted to Southern Ports. I think the Blockade is less likely to be injurious or to raise awkward questions, than any of the irregular modes of closing the Southern Ports which were proposed. Until September it will interfere very little with any Trade which we carry on with the South in the ordinary course of things. But it will of course effectively prevent the new trade which might perhaps have sprung up under the influence of the opposing Tariffs of North and South. The official announcement of it, which I have only just received, seems extraordinarily vague. I conclude the exact date of the commencement of the effective Blockade at each particular Port will be announced in proper form hereafter. I hope that we shall succeed in obtaining a tolerably liberal application of its rules as far as Foreign vessels are concerned.

Mr. Seward has talked (not to me) of the United States being now willing to adhere to the Declaration of the Congress of Paris abolishing Privateering. I am always rather afraid of touching upon the principles laid down in the Declaration. It may perhaps be a good thing to secure the adherence of the United States to them — though how long after the present crisis the adherence may be maintained, is, I think, not a little doubtful. The time at which the offer would be made renders the thing rather amusing. It would no doubt be very convenient if the Navies of Europe would put down the Privateers, and thus leave the whole Navy of the United States free to blockade the Ports against European Merchant Vessels.

The Consuls at New York and Boston having been withdrawn, by the interruption of Post and telegraphs, from the influence of the calming potions, which I administer to them when I have the means of doing so, seem to have taken the Northern War Fever. As the Governors have refused to send the Arms free from the British Public Stores without my sanction, I hope no great harm is done. Mr. Archibald is so valuable a public servant, that I have been sorry to send him even the very mild reproof, of which I sent you a copy officially to-day.

I have been rather puzzled what to say to the Admiral.<sup>1</sup> Every Consul and every British Subject wishes to have a Man of War or a Fleet if possible at his door. I don't see that the Men of War could be of any practical use, except as places of refuge, in case of a bombardment or actual fighting in a town. There are naval as well as political objections to having our Ships here without strong neces-

<sup>1</sup> Milne.

sity. The temptations to desert are very strong and very generally yielded to by our Men of War when in American Ports. With the practice, which has grown up here, of putting out lights and removing Beacons and Buoys, it might be easier to get a ship into one of these harbours or rivers than to get her out again. I should like to have ships as near at hand as possible without being actually in American Waters. The case of a strong joint Naval demonstration of England and France united to enforce respect to any decision they might come to, about Blockades, Privateers, or other matters, would be a very different thing. Not that I think even a joint intervention of this kind a thing to be desired in itself.

In their terror some of the inhabitants of this town went to my Prussian Colleague, Baron de Gerolt, and proposed that the Diplomatic Body at Washington should propose to mediate between the Northern and Southern Governments, to prevent bloodshed and to obtain an Armistice until Congress met in July. I told Baron de Gerolt that the object was no doubt excellent, but that without discussing the plan farther, there was in my mind one objection which was fatal to it. I was certain that neither party would accept the mediation. Baron de Gerolt said he had reason to think Mr. Seward would not be unfavorable to the plan. I spoke in the afternoon to the French Minister, M. Mercier, who entirely agreed with me. On the following morning appeared Mr. Seward's letter to the Governor of Maryland (a copy of which I sent you in my Despatch No. 159) scornfully rejecting the "arbitrament of any European Monarchy." In any case I should have felt great difficulty in consenting to take part in a mediation without your orders — and I should have little or no hope of its being successful.

On the 2d of May, Lord Lyons thus wrote, of course confidentially, to Lord John Russell:

Mr. Seward' is so arrogant and so reckless towards Foreign Powers that I felt my only chance of keeping him within bounds was to make a firm stand in the case of the *Peerless*.<sup>1</sup>

I was afraid that other vexations would be multiplied during the Blockade.

I have, however, avoided all personal altercation with him and kept our personal relations on such footing that neither of us will feel any embarrassment in treating questions confidentially or otherwise.

As the Cabinet have gone altogether beyond their Constitutional powers in Warlike proceedings it is unhappily absolutely necessary

<sup>1</sup> See *Proceedings*, XLVI. 37.

for them to keep up excitement until Congress meets in July in order to obtain a bill of indemnity.

Communicated to the Premier by the Foreign Secretary, the despatches referred to elicited the following memorandum:

HOUSE OF COMMONS, 23/5/-61.

These Communications are very unpleasant.

It is not at all unlikely that either from foolish and uncalculating arrogance and self-sufficiency or from political Calculation Mr. Seward may bring on a Quarrel with us. He would be tempted to do so if our American Provinces were defenceless, and his Colleagues might be deterred from doing so if they felt or knew that our Colonies were in a good State of Defence.

It seems to me desirable that Three Battalions instead of one should be sent without Parade to Canada. The main Force for Defence must of Course be local but everybody knows the advantages of a regular Force as Foundation for an irregular army.

The views at this time entertained by Lord Palmerston are set forth as follows in a letter addressed to Edward Ellice, M.P.:

The day on which we could succeed in putting an end to this unnatural war between the two sections of our North American cousins would be one of the happiest of our lives, and all that is wanting to induce us to take steps for that purpose is a belief that any such steps would lead towards the accomplishment of that purpose, and would not do more harm than good. The danger is that, in the excited state of men's minds in America, the offer of any one to interpose to arrest their action, and disappoint them of their expected triumph, might be resented by both sides; and that jealousy of European, especially of English, interference in their internal affairs might make them still more prone to reject our offer as impertinent.

There would, moreover, be great difficulty in suggesting any basis of arrangement to which both parties could agree, and which it would not be repugnant to English feelings and principles to propose. *We* could not well mix ourselves up with the acknowledgment of slavery and the principle that a slave escaping to a free soil State should be followed, claimed, and recovered, like a horse or an ox. We might possibly propose that the North and South should separate amicably; that they should make some boundary line, to be agreed upon, the line of separation between them; and that each confederation should be free to make for its own internal affairs and concerns such laws as it might think fit — the two confedera-

tions entering, however, into certain mutual arrangements as to trade and commerce with each other.

Do you think the time is come for any arrangement of such a kind? or is it not in the nature of things and in human nature that the wiry edge must be taken off this craving appetite for conflict in arms before any real and widespread desire for peace by mutual concession can be looked for?<sup>1</sup>

The following, marked "Private" and dated Washington, May 6, 1861, naturally did not reach its destination at the Foreign Office before the issuance of the Proclamation of Belligerency. Nevertheless, it throws a strong reflective light thereon.

Mr. Seward's Despatch to Mr. Adams about your conversation with Mr. Dallas, and his conduct about the *Peerless*, are a painful illustration of the character of the man we have to deal with. I will hope that he has not a deliberate intention to quarrel with us: but I think he has a strong inclination to try to what extent he may make political capital by high-handed conduct and violent language towards us. My hope that he does not intend to pick a quarrel with us does not rest, as might be supposed, on considerations of the insanity which doing so at this crisis in the affairs of this country would seem to indicate. I can perceive little or no understanding in Mr. Seward, either of the comparative power of the Great Countries of Europe and the remains of the United States, or of the importance to their Government of conciliating the European Powers or at all events of not forcing them into hostility. As he thought last autumn that all excitement would instantly subside in the South as soon as Mr. Lincoln's Election was decided; as he declared when Congress met in December that the talk of secession would all be over in thirty days, as he announced in January that at all events sixty days more was the extreme limit of the continuance of secession agitation; as he declared in February that it was impossible but that in one month after he was in office, he should have brought all the States back to the Union; as he proclaimed six weeks ago that his measures had been so successful that the return of the Seceders in November was quite certain and that no drop of blood would be shed; as he maintains, I believe now, that the first appearance of Northern Troops in the South will be hailed by an oppressed Union Majority — so it is conceivable that he may hold that if a War arose with a Foreign Power, the South would embrace the

<sup>1</sup> This letter has already been printed in Ashley, *Life of Palmerston*, II. 405.

North and share its perils. Such a notion is of course simply absurd — but then so were all Mr. Seward's previous notions about the South. The President and the rest of the Cabinet, if not so ignorant of the South as Mr. Seward, are if possible, still more ignorant of Europe, and some of them are much more violent than he is.

With such a Minister for Foreign Affairs, and such a Government, to keep on good terms will be no easy matter. And behind them is the violent party, or indeed one may say the ignorant mob of the North. I imagine that the immediate cause of the order to seize the *Peerless* was the desire to announce this act of vigour to some violent partisan in Massachusetts, who had urged it on the Government and reproached them with want of energy. I am in the greatest apprehension that similar causes may produce similar proceedings at any moment. The next step may be to seize a suspected Privateer in Canadian Waters, or to commit some other violation of Canadian Territory. My own plan with Mr. Seward has been to remonstrate more in sorrow than in anger, to endeavour to make him see the extreme folly of such conduct without wounding his vanity, and to keep on such terms with him personally as may at all events afford me the means of endeavouring to keep him straight by friendly warnings as well as by strong remonstrances. At the moment I am anxious too to be able to obtain, if possible, some relaxation of the Blockade, in favour of British subjects, in individual cases of hardship. I have thought moreover that you would not wish me to push the matter of the *Peerless* too far here, but to content myself with such a protest as would leave the means to be adopted to prevent a recurrence of similar acts of violence or threats of violence, entirely open for your consideration. I think our best chance of preventing future difficulties is to be firm in the beginning.

I confess I can see no better policy for us than a strict impartiality for the present. The sympathies of an Englishman are naturally inclined towards the North — but I am afraid we should find that anything like a quasi alliance with the men in office here, would place us in a position which would soon become untenable. There would be no end to the exactions which they would make upon us, there would be no end to the disregard of our neutral rights, which they would show, if they once felt sure of us. If I had the least hope of their being able to reconstruct the Union, or even of their being able to reduce the South to the condition of a tolerably contented or at all events obedient dependency, my feeling against Slavery might lead me to desire to co-operate with them. But I conceive all chance of this to be gone for ever. The question

now is only how long and how bloody the war will be, and how much injury it will cause to both Divisions of the Country. The injury inflicted on both will be felt in England — but the consequences of the sudden failure of the supply of cotton from the South are appalling.

Whether we shall think it possible to allow our supply of cotton to be materially interfered with by the Blockade, is a question which it is not for me to prejudge. I hardly see however what is to be gained by M. Mercier's plan of announcing now that we will not recognize the Blockade in September. It would hardly produce less commotion here than a refusal to recognize it *ab initio*. An immediate refusal however would hardly be worth while, as we have very little Trade with the South in summer. My own notion would be that whatever we determined to do, we should announce a *short* time beforehand, be prepared on the spot with ample means of carrying our determination into effect, and positive orders to execute them, *coûte que coûte*, instantly. Our best chance of avoiding extremities would undoubtedly be to act in entire concert with France. If there is any hope of dividing us; this Government will be encouraged to try any amount of violence against one separately, probably against England, as that would cause the greater excitement in this Country. But even Mr. Seward could hardly be violent against England and France united, especially if their decisions were urged firmly and judiciously.

The next fortnight, if as is expected, it see the war actually begun, may decide a great deal. One cannot but hope that the North, notwithstanding its apparent fury and unanimity may in the end get tired of the War. It would seem by President Davis' Message that the South only asks to be let alone. I do not think the sensible men in the North have any expectation of conquering the South. The War is made from wounded pride — from a natural reluctance to acquiesce in the diminution of the greatness of the Nation.

The following, marked "Private and Confidential," has already, in part, been used by Newton in his *Life of Lyons* (I. 41). The date, May 21, is of interest.

One of the great difficulties I have to contend with in my endeavours to keep this Government within such bounds as may render the maintenance of peace possible, is the persuasion, which prevails, even with sensible men, that *no* outrage will compel England to make war with the North. Such men, although seeing the inexpediency and impropriety of Mr. Seward's treatment of the European Powers,

still do not think it worth while to risk their own mob popularity by declaring against it. If they thought there was really any danger, they would no doubt do a great deal to avert it.

Of these men the most distinguished is Mr. Sumner. He has considerable influence in Foreign questions, and holds the important office of Chairman of the Senate Committee on Foreign Relations. He is in correspondence with many people in England, and I believe with the Duke or Duchess of Argyll. I think no greater service could be rendered to the cause of peace, than to make Mr. Sumner aware of the real perils to which Mr. Seward and the Cabinet are exposing the Country. If some means cannot be devised of checking them, they will carry not only arrogance, but practical vexations to a pitch, which will render the maintenance of peace impossible. If Mr. Sumner's correspondence from England convinced him that there was a real danger in Mr. Seward's proceedings, he might do a great deal to put a stop to them. I think I have done something to shake his confidence, but I believe he still relies to a great degree upon assurances he received from England, under circumstances wholly different from those which now so unhappily exist.

It will be noted that it was on May 21, the day this letter was written, that Secretary Seward completed his memorable despatch to Mr. Adams, subsequently revised by President Lincoln, but manifestly calculated in the Secretary's mind to give practical effect to his memorandum of "Thoughts for the President's Consideration" of April 1. The foreign-war panacea as a remedy for domestic complications had in May reached its climax in the mind of the Secretary of State. The original despatch,<sup>1</sup> as prepared by the Secretary for Mr. Adams, previous to its submission to the President, should be read in immediate connection with the following letters. There is reason to believe that it was in direct consequence of the intervention of Mr. Sumner that the despatch in question underwent the changes it did at the hands of the President.<sup>2</sup>

Later (May 27) Lord Lyons sent to Lord Russell an extract from a letter just received by him from William H. Russell, the *Times* correspondent, then on his trip through the Confederacy. In his letter of transmission, Lord Lyons thus expresses himself:

I have some hope that we have made an impression upon the President and the Cabinet, and even upon Mr. Seward, which may

<sup>1</sup> Nicolay-Hay, IV. 269-276.

<sup>2</sup> *Proceedings*, XLVI. 41-42, 77.

tend to keep him within reasonable bounds. Much will depend upon the conduct of France. The hope of the anti-English Party is that she will try and engage us in difficulties here, and then leave us in the lurch, and play her own game in Europe.

The following is from W. H. Russell's letter to Lyons:

NEW ORLEANS, May 21st, 1861.

The further I travel the more satisfied I am of the terrible results of the struggle which seems quite beyond the reach of evasion. There is on the part of the South an enormously exaggerated idea of its own strength and of its "faut vivre" for the rest of the world, which nerves its sinews, and there is also the desperation of position which one must feel who sits on a barrel of powder and who is menaced with a hot poker. They are resolute and unanimous to a most extraordinary degree — they are stronger than I expected to find them — but they — I speak of the men — not of the South as an "it" — will, I think, discover that they are ill-fitted for a defensive and protracted contest; more especially will they lose heart, when or if their sheet-anchor fails them, and England and France permit the Blockade for a year or more. Their ideas of political economy are enough to drive the venerable A. Smith out of his quiet resting place with a fresh edition of the "Wealth of Nations" in his claw.

The following from Lord Lyons to Lord John Russell (June 4, 1861), already printed by Lord Newton (I. 42), is of value. It throws light on a possible move which, had it been made, would, as subsequent developments show, have resulted in what might well have proved irreparable injury to the Union cause:

The present game of the violent party appears to be to discover or invent some shade of difference in the conduct of England and France, in order to use violent language, or even to take violent measures against England, without necessarily involving themselves in a quarrel with France also. The plan most in vogue at this moment seems to me to send me my Passports. After their experience in the case of Sir John Crampton,<sup>1</sup> they look upon this as a measure, which would gain them mob applause, by its appearance of vigour, without exposing them to any real danger. They have not hit upon any fault to find with me personally, except that

<sup>1</sup> Moore, *Digest of International Law*, IV. 533.



I *must* have written unfriendly despatches to my Government, because my Government has taken a course which they do not like. The whole is no doubt an attempt to carry a point by bluster which will perhaps fail, if it be encountered with mild language and very firm conduct. For my own part, I conceive my best line will be to avoid giving any possible reason for complaint against myself personally, and to keep things as smooth as I can. If Her Majesty's Government concede nothing to violent language, it will *probably* subside. But there is such a dementia in some of the people here, that we must not be surprised at any act of violence they may commit.

In studying this material, the fact always to be kept in mind is that the end both Lord Lyons and Lord John Russell had in view was to avoid an interruption of trade rather than to use such interruption, should it occur, as a ground for recognition of the Confederacy. Recognition was the essential point at issue — the danger-spot in the situation. It was persistently urged by both the French representative at Washington and the Paris government. But the policy gradually formulated in Lyons' mind and by him communicated to Russell became at last definite. When, officially, the blockade was declared, he thought it no cause for recognition, and was tolerant of its undeniable inefficiency during the earlier stages of the conflict.

While the British Minister at Washington was thus keeping in close touch with a very confused situation, the London relations between England and America were to the last degree meagre and unenlightening. All that Mr. Dallas, the American Minister, knew of English policy or of the Foreign Secretary's intentions in certain contingencies is summed up in his despatches to the Secretary of State of March 22 and April 9, 1861.<sup>1</sup> In his interviews with Lord John Russell, Mr. Dallas drew from him merely a general expression of England's friendly feeling toward the United States and a hope that there might still be a peaceful solution of the issues presented. The Foreign Secretary distinctly declined to make any pledge in regard to English policy. Absence of any well-defined national policy at Washington and a deep-seated distrust of the Secretary of State were the most noticeable factors in the British Foreign

<sup>1</sup> *Diplomatic Correspondence*, 1861-62, 80, 81.

Office situation — uncertainty, not unfriendliness. It was, however, agreed that it would be better for Great Britain to await Mr. Adams' arrival before taking definite action; or, at least, Mr. Dallas so understood Lord John, though the latter subsequently denied that any formal assurance to that effect was given. There is, however, no room for doubt that in the Foreign Secretary's mind, whatever he might intimate officially, a separation of the American Union was already an accomplished fact, and the hope of Great Britain centred upon the idea of this separation being peaceful in character. The Foreign Secretary was at this time continuing his instructions to Lyons to recommend conciliation, "but never to obtrude advice unasked."

Viewed historically, it is an interesting query, whether the doubt and even apprehension expressed by the British Foreign Secretary of Seward's temper was not at the moment a distinct benefit to the United States. The Southern Commissioners at this juncture reached England. The natural inference to be drawn from the documents is that in spite of Lyons' advice to Russell to treat the Commissioners well, the effect upon Russell of Seward's attitude was to treat them coolly. In any case that Russell was distinctly worried by Seward's aggressive speech and opportunist political attitude is apparent; moreover, as we now know, he was right. He had ground for apprehension.

Such were the official communications on a most complex political situation which reached the British Foreign Office. Meanwhile, unofficially Lord John must have sought light in his namesake's letters. These were now appearing regularly in the *Times*, and on March 29 W. H. Russell thus wrote from Washington; his letter was printed in the issue of the *Times* for April 16:

. . . It is difficult for one who has arrived so recently in this country and who has been subjected to such a variety of statements to come to any very definite conclusion in reference to the great questions which agitate it. . . . As far as I can judge — my conclusion, let it be understood, being drawn from the prevailing opinions of others — "the South will never go back into the Union." On the same day I heard a gentleman of position among the Southern party say, "No concession, no compromise, nothing

that can be done or suggested shall induce us to join any Confederation of which the New England States are members"; and by another gentleman, well known as one of the ablest Abolitionists, I was told, "If I could bring back the Southern States by holding up my little finger I should consider it criminal to do so." . . . But most impartial people, at least in New York, are of opinion that the South has shaken the dust off her feet, and will never enter the portals of the Union again. She is confident in her own destiny. She feels strong enough to stand alone. She believes her mission is one of extension and conquest — her leaders are men of singular political ability and undaunted resolution. She has but to stretch forth her hand, as she believes, and the Gulf becomes an American lake closed by Cuba. The reality of these visions the South is ready to test, and she would not now forego the trial, which may, indeed, be the work of years, but which she will certainly make.

Subsequently he thus wrote under date of April 15, his letter appearing in the *Times* of May 11, — three days before the issue of the Proclamation of Neutrality and Belligerency:

The confidence of Mr. Seward in the strength of the name and of the resources of the United States Federal Government must have received a rude blow, but his confidences are by no means of weakly constitution, and it will be long ere he can bring himself to think that all his prophecies must be given up one after another before the inexorable logic of facts, with which his vaticinations have been in "irresponsible conflict." It seems to me that Mr. Seward has all along undervalued the spirit and the resolution of the Southern Slave States, or that he has disguised from others the sense he entertains of their extent and vigour. The days assigned for the life of the secession have been numbered over and over again, and secession has not yet yielded up the ghost. The "bravado" of the South has been sustained by deeds which render retreat from its advanced position impossible. Mr. Seward will probably find himself hard pushed to maintain his views in the Cabinet in the face of recent events, which will, no doubt, be used with effect and skill by Mr. Chase, who is understood to be in favour of letting the South go as it lists without any more trouble, convinced as he is that it is an element of weakness in the body politic, while he would be prepared to treat as treason any attempts in the remaining States of the Union to act on the doctrine of secession.

Lord Lyons had by this time (April 9) become satisfied that the so-called radical party in the Cabinet would probably have its way. A policy of conciliation would no longer be attempted, and a coercive course toward the South was to be adopted. In a letter of the same date he repeats his advice as to the treatment to be accorded the Southern Commissioners. They were to be received with deference, though not, of course, in any official capacity.

. . . The only point which I venture to suggest for consideration with regard to the reception of these gentlemen is that their meeting with a very marked rebuff might be an encouragement to the violent party here, who maintain that any measure whatever may be taken by this Gov. against foreign commerce, without provoking the resistance of England, or inducing them to improve their commercial position by a recognition of the Southern Confederacy.

In a despatch dated April 15, Lord Lyons described to Russell the fall of Sumter, advising him that war had at last actually begun.

With the fall of Fort Sumter and a recognition of the fact of a civil war, a number of new and most perplexing questions naturally presented themselves; but Lord John Russell's treatment of them is not now to be considered. Meanwhile, in the period previous to May 1, 1861, the British official attitude may be summed up in the statement that Lord Lyons at Washington, in a state of great mental uncertainty, was consistently hoping that some solution might be found of the issue presented under which the Union would be continued. At the same time, however, he was intent on British commercial interests, and was inclined to a belief that the assertion by him of the extreme unwisdom of any national interference with the British trade to Southern ports might tend toward some more or less satisfactory solution of the problem. On the other side of the Atlantic Lord John Russell, entertaining a gradually diminishing hope that there might be no separation, soon became persuaded that separation was inevitable and disruption final. It is evident that prior to the 1st of May he was considering the early arrival of a date when recognition must be granted to a new, independent and slave-holding state. The practical question, however, which the official at the head of the English Foreign Office had to confront was not sentimental.

It related to England's attitude and her legal relation, under international usage, toward the American combatants. In solving this question, neither ideals nor humanitarianism played any part. England's first need and the Foreign Secretary's first duty was to determine and announce for the benefit of all concerned, and more especially for British subjects, the position of that country under the accepted principles of international usage.

Subsequently, four years later, and after the termination of Civil War hostilities, the Proclamation of May 13 was thoroughly discussed in a lengthy diplomatic correspondence between Mr. Adams and Earl Russell. The contention of Mr. Adams was that such an act of recognition was just and proper only when it became necessary (1) "to provide for an emergency by specific measures" involving a necessity of protecting personal interests of the neutral and should (2) extend only to the necessary provision for the existing emergency, avoiding implication in the struggle. Only, he added, (3) "if, after the lapse of a reasonable period, there be little prospect of a termination of the struggle, especially if this be carried on upon the ocean, a recognition of the parties as belligerents appears to be justifiable."

From the American point of view, the situation as it existed in early May, 1861, should perhaps be judged by this test, obviously extreme. The facts in the case, now far better understood than they then were, appear from the record. It was on the 6th of May, Mr. Adams having left America on the 1st of that month, and reaching Liverpool on the 13th, that Lord John Russell formally announced in the House of Commons that belligerent rights would be conceded to the Confederacy. Five days earlier, on May 1, he had sent for Mr. Dallas, in consequence of reports then generally current as to the intention of President Lincoln and the Washington administration to institute a blockade of the Southern coast.<sup>1</sup> Five days later, on

<sup>1</sup> [From the Diary (Ms.) of Benjamin Moran, Secretary of the American Legation in London when Dallas was Minister, are taken the following entries: "Wednesday, May 1, 1861. Lord John Russell yesterday requested an interview with Mr. Dallas this morning at one o'clock, and Mr. Dallas went. His Lordship said he had been privately informed that Mr. Lincoln meant to blockade the Southern ports, and this Government would object to it. Such a measure might prompt them to recognize the Southern Confederacy. Mr. Dallas assured

the 11th of May, President Lincoln's Proclamation of Blockade was officially communicated. This blockade was to be conducted in accordance with the rules of international law. May 14, the official copy of the consequent Proclamation of Neutrality appeared in the London *Gazette*.

The blockade thus promulgated, it must be borne in mind, directly and radically involved what then constituted the largest branch of British foreign commerce—the trade in cotton as a raw material between the ports of the Confederacy and Liverpool. From the day the blockade took effect, a condition of war existed. As Earl Russell subsequently said, it became “necessary for England to determine at once upon facts and probabilities whether she should permit the right of search and blockade as acts of war, and whether the letters-of-marque or public ships of the rebels, which might appear at once in many parts of the world, should be treated as pirates or as lawful belligerents.” Fundamental, this is also historically indisputable. It is next necessary to bear in mind the facts disclosed in the material now submitted. The official communications which reached the Foreign Secretary have been sufficiently referred to. Meanwhile, on the very day in May when Sir George Lewis, on behalf of the Ministry, formally announced in the Commons the Queen's Proclamation, W. H. Russell was writing from Montgomery, announcing that the local papers of that morning contained “the proclamation of

him it was in error, which seemed to give satisfaction. . . . Friday, May 3, 1861. Lord John Russell has found out that Mr. Dallas was wrong about the power of the President to blockade, and is rather grumpy. . . . May 7. Lord John Russell said last night in the House of Commons, that the Southern Confederate States must be recognized by Great Britain as belligerents. This is regarded by many as a strong indication that they mean to recognize this pretended Confederacy, and the result is great anxiety among merchants. My opinion is that Lord John was hasty and the Government will take the back track. . . . *Saturday*, April 11, 1868. I received a letter from Mr. W. Hunter to-day asking me to let him know if Mr. Dallas ever received Mr. Seward's Circular of the 20th April, 1861, and the proclamation of blockade of the 19th, and if so when, and if he communicated the latter to Ld. Russell. He received them on the 10th May, and had an interview with his Lordship at his house on the 11, but he never reported it home that I know of. He told me he would write his despatch about that and also about the presentation of his letter of recall when he got home and send me a copy to record, but he never sent such copy. I therefore don't know what passed at the first named interview on the 11th, nor do I know if he ever presented a copy of the proclamation to Lord Russell. I have written home in full to Mr. Hunter this day and mentioned these facts.” — W. C. F.]

the President of the Confederate States of America, declaring a state of war between the Confederacy and the United States, and notifying the issue of letters-of-marque and reprisal." It is true this letter did not appear in the London *Times* until three weeks later — on the 30th of May. It nevertheless announced facts connected with British commerce and interests which had been clearly foreshadowed in London on the first of that month. Under the circumstances, it was obviously necessary that the British Admiral commanding the South Atlantic station should have his instructions and clearly understand to what extent interference with British commerce and rights was affected. Did a state of war exist, and was he to guide himself accordingly? An exigency might arise any day, and, in fact, might well have arisen before the formal instructions, if sent at the earliest possible moment, could have reached their destination at the Bahamas. Not less than twenty days would then have been required to convey to the British Admiral these instructions. Thus, assuming that despatches were promptly forwarded from London on May 9, when Sir George Lewis announced to the Commons the Queen's Proclamation of Belligerency, they would not have reached Admiral Milne prior to the date — May 30 — when Russell's letter appeared in the *Times*. Referring to the Proclamation, Russell said:

"It need hardly be observed that the protection of British interest demands that an efficient squadron of vessels be at once sent to the American waters in the face of such contingencies as will inevitably arise." He also informed the British public that the Montgomery government "had already numerous applications from the ship-owners of New England, from the whalers of New Bedford, and from others in the Northern States for these letters of marque, accompanied by the highest securities and guarantees." He significantly added, "I leave it to you to deal with the facts." Finally in this letter he said, "The Government at Washington seeks to obtain promises from Lord Lyons that our Government will not recognize the Southern Confederacy, but at the same time refuses to give any guarantees in reference to the rights of neutrals. The blockade of the Southern Ports would not occasion us any great inconvenience at present because the cotton loading season is over; but if it be enforced in October, there is a prospect of very serious and embarrassing questions arising as to the rights of neutrals under

treaty obligations to the United States Government; the trade and commerce of England and the law of blockade in reference to the distinctions to be drawn between measures of war and means of annoyance." But almost at the same time he stated that of the few ships then at anchorage in Mobile Bay "nearly all are British." In like manner, on the first of May he wrote from Savannah a letter appearing in the issue of the *Times* of May 28th, in which he stated that while there were but few ships in the river, of those nearly all were "under British colors." And on returning from a visit to Fort Pulaski, at the entrance of Savannah Harbor, on May 1st, he describes the party as intent on the approach of a large ship, "which turned out to be nothing more formidable than a Liverpool cotton ship."

So far, therefore, as the conditions and circumstances which would justify the Proclamation of Belligerency on the part of the British government, it is difficult to suppose a case stronger than then really existed. The blockade was in effect. The rules of war were in operation, and might at any moment be rigidly applied. The British Admiral had to be instructed, and that at the earliest possible moment. Letters of marque had already been applied for and, it was fairly to be assumed, had been issued. Those sailing under these letters of marque either had or had not rights on the high seas. The British Admiral might at any moment be called upon to take action. He not only had a right to immediate instructions, but that he should have those instructions was incumbent upon the government. Under such circumstances, it is not at once apparent how every caution and consideration stated or implied subsequently by Mr. Adams was not included in the actual situation.

Bearing these historical facts in mind, it seems not unfair now to say that a careful scrutiny of the official and private papers of the period nowhere indicates that "unfriendliness" toward the National Government, attributed to the British Foreign Secretary. On the contrary, his course throughout seems to have been that of one seeking light, and sincerely anxious to do nothing likely to wound American sensibilities.

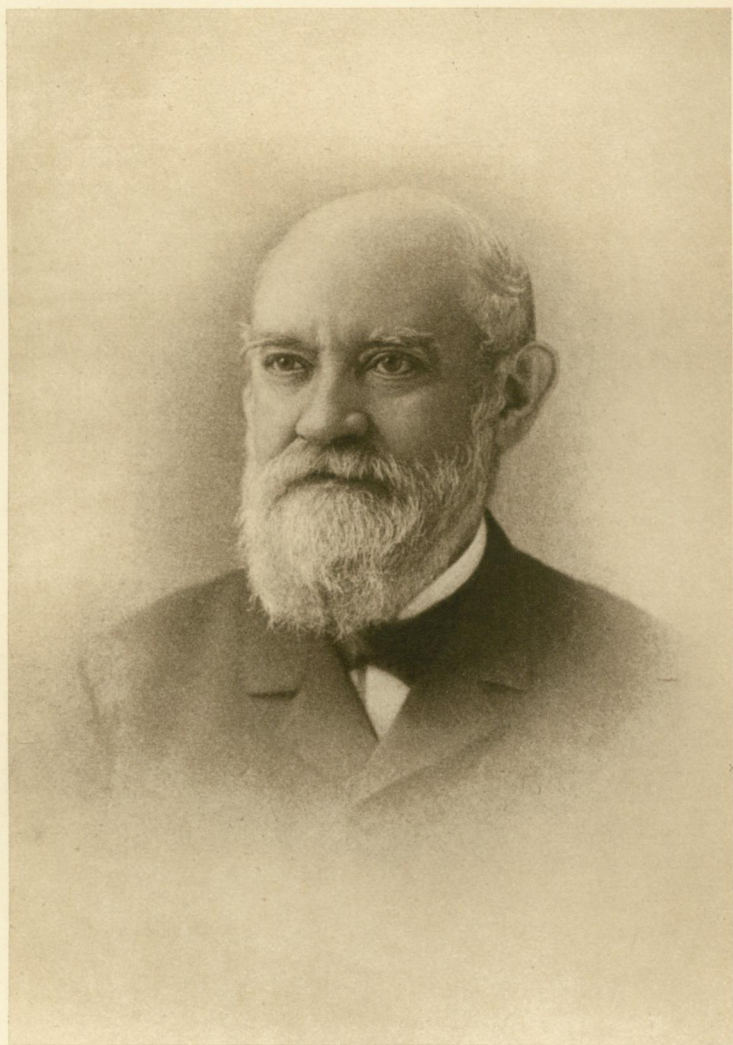
DR. STORER called attention to a large number of British posters, exhibited on the walls of the room, encouraging and urging enlistment in the army. A gift by him to the Society,



they constitute an interesting continuation of the political posters shown in December, 1913.<sup>1</sup>

Remarks were made during the meeting by Messrs. J. C. WARREN, THAYER, SUMNER, HART, W. R. LIVERMORE and SANBORN.

<sup>1</sup> *Proceedings*, XLVII. 53.



*William Edicott*

# MEMOIR

OF

## WILLIAM ENDICOTT.

BY ROBERT S. RANTOUL.

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THE subject of this memoir was a unique personality. He was born at Beverly, January 4, 1826. His father was William Endicott, who succeeded Robert Rantoul, Senior, in the country store established by the latter at Beverly in 1796. William is a name of frequent recurrence with the Endicotts — a Dorsetshire family — and one William Endecotte was a “full fellow” on the rolls of Exeter College, Oxford, in 1580. Since 1774, the Endicotts of New England have spelled the name with an “i.” The elder William Endicott was of the nearest generation of descendants living in his day, from the Colonial Governor, and was a son of Robert Endicott of Beverly, whose wife was a Holt of Danvers. This Beverly William Endicott died at Beverly in 1899, when lacking in age but a month of his full century. He was nine months old when Washington died. He married in 1824 Joanna Lovett, the eldest child of Robert Rantoul, Senior, and she was the mother of our subject, and died at St. Louis while journeying at the West in 1863.

William Endicott of whom we write showed, as a child, marked intelligence and activity. I grew up in close touch with him — too close, perhaps, to view him objectively and to see him in his true perspective. When we went nutting or berrying or fishing, not only was he the life of the party, but he was sure to bring home more nuts or berries or fish than any other member of it. When told that his mother’s cousin, Andrew Preston Peabody, had, as a child, first learned to read the inverted page while he stood at the knee of a teacher who was hearing recitations, it appeared that young Endicott had mastered the same odd accomplishment. As a schoolboy he passed a summer vacation on a farm at Andover. There he solved

the mystery of cheese-making — constructed a practicable toy cheese-press and in it made miniature cheeses, of the size of a Spanish dollar, which he distributed among his playmates.

He was destined for Harvard College, but his parents hesitated to fit him for professional life, medical advisers questioning whether he could bear the strain. Pulmonary consumption was the universal dread in Beverly at that time, attributed by Agassiz, when he first visited the town in 1846, to the conformation of the coast. It has since lost much of its terror. But, on leaving the Beverly Academy, an incorporated school, well kept at that time by Thomas Barnard West of Salem, young Endicott, at the age of fourteen — he had no further schooling — joined his father in his local business and was there not long after discovered by the late Charles Fox Hovey, who had just left the Boston firm of J. C. Howe and Company and had, with partners, set up in business for himself, and was building at that time his summer residence on the high ground west of Gloucester Harbor. The Endicotts were customers of the Hovey Company, and Mr. Hovey, in riding through Beverly to Gloucester — there was no railroad to Gloucester then — often stopped and did business with them. In this way he was aware of the rare faculty shown by the subject of this sketch in grasping business problems, and became anxious to offer him a place as treasurer in his Boston warehouse. He did not wait long to welcome him as a partner. Mr. Hovey was a Jeffersonian Democrat and a very independent thinker, and was in declared sympathy with the anti-slavery agitation then becoming rife. The Endicotts held like political views, William Endicott, Senior, having supported Crawford for President in 1824, and later Jackson. Young Endicott's maternal grandfather had been a rigid Federalist and a disciple of Timothy Pickering, imbued with all the party's jealousy of slave-representation and slavery extension, often chosen to office through that party's support, and only quitting it or what remained of it in 1828, in revolt against the protectionist policy of Clay, Secretary of State under John Quincy Adams, then a candidate for a second Presidential term. It was this so-called "American System" which drove scores of old-line Federalists, with Pickering at their head, into the support of Jackson.

No sooner had young Endicott found himself in the receipt of an income than he began to indulge the public spirit which marked his career. At times he lived in Boston and at times spent the night in Beverly, for the railroad lately opened made the latter course possible. He early joined a little group of young townsmen in offering concerts, in stimulating the growth of a public library, and in sustaining the historic Lyceum. When he passed between Beverly and Boston day by day, the extent to which he made himself the medium of transmission for messages and errands at the service of his friends — there was no express conveyance then — anticipated his life-long practice of bearing others' burdens. Before the Civil War broke out he had identified himself with the new "Republican Party," and supported Julius Rockwell for Governor in 1855 and Frémont for President in 1856. He was contributing to party funds, attending party conventions, and was so far recognized as a co-worker with Whittier, and Dr. Howe, and Amos A. Lawrence, and George L. Stearns, in extra-political efforts to save Kansas to Freedom that, when the John Brown raid startled us in 1859, he was among those branded as "suspect" by the Mason Senatorial Committee. But his sympathies were, in the main, with the advocates of political movements and constitutional measures — of such steps as Lincoln, and Chase, and Whittier, and Sumner, and Judge Hoar, and Governor Andrew advocated, rather than with the extremists who denounced the Constitution and distrusted and disparaged the Union. He disliked their methods, and while he made a contribution which secured to Garrison the statue in Commonwealth Avenue, because he thought the man who unselfishly supports his honest convictions at the risk of his life has earned a monument, he said from first to last that the extremists, sincere as they were in their efforts, played but a small part in the abolition of slavery. He thought, with the old Federalists, that we had been drawn, under the stress of revolt against British despotism, into making a necessary compact with the Southern colonies which they had come to feel their interests compelled them to annul. He thought the North should keep faith, but he would enforce an equal obligation on the South.

From time to time he took active part in political conventions. He was present in 1856 at the gathering in Philadelphia

which nominated Frémont, and again at the mortifying fiasco at Cincinnati in 1872 where, unable to profit by the moderation of such advisers as Carl Schurz, and Horace White and himself, public-spirited men, called together to attempt the defeat of Grant for a second term in the Presidency, adopted the inconsequent step of nominating Horace Greeley. During the years when Butler was storming the Republican citadel for that party's nomination as Governor of Massachusetts, Mr. Endicott made it a duty to be present and active during the midnight disturbances preceding those conventions, and did much to defeat the struggles of a political ambition which was at last rewarded only by recourse to the support of another party.

Mr. Endicott had a disinclination for public life. Often urged to become a candidate for Congress, he uniformly refused. He distrusted his capacity for addressing people in numbers. He was probably right in thinking that he did better to rely on his facile pen and his earnest, persuasive, personal appeal for bringing his clean-cut convictions to the notice of the possible convert. But in practical politics he was no dilettante. He was willing to bear his share of the unpleasantness of election-day drudgery rather than have to reflect that unsatisfactory results might have been less serious but for his inaction. Three days before his death, though suffering much, he cast his vote in the State election.

He was an indifferent speaker. His choice of phrase was nice and scholarly, but his voice was not effective, nor was his presence commanding, and he always shrunk from speaking in public. Twice I saw him called on without notes to address a gathering. In both instances he acquitted himself well. Once he addressed this Society in the commemorative observances on the death of Norton. And once he addressed the Massachusetts Republican State Central Committee at a dinner tendered, in Henry Cabot Lodge's first year in the chair, to Governor-elect Robinson, on the defeat of Butler. But his contributions to the campaigns in which he enlisted were mainly literary and financial, and in the Butler campaign, and again in the McKinley-Bryan campaign of 1896, he produced financial papers which were reprinted throughout the country and even in English journals of authority, such as John Bright's *Daily News*, as apt to afford aid to the stability of our currency

and of the public credit. His printed reminiscences show how deeply he studied fiscal questions.

Mr. Endicott's active career was co-terminous with the latter half of the nineteenth century. This was a period of rare activity in our quarter of the world. Great industrial and scientific changes were afoot. Facilities for the transportation of persons and freight took the great start which made possible the wonderful development of our Northwest, and facilities for the transmission of intelligence, quite as vital to the rapid growth of the country, went through a radical revolution. The relation of an active-minded, public-spirited man to the developments going on about him has an interest beyond mere personal concern.

The first transcontinental railway enterprise was undertaken, at the beginning of this era, by eastern capitalists who proposed to unite by continuous lines the Great Lakes with Mobile Bay. Such needed legislation as Senator Stephen Arnold Douglas could not secure at Washington, from the general government, remained for my father, representing the corporators of whom he was one, to secure at Springfield from the State of Illinois. But the Illinois Central Railroad, after starting out auspiciously, was plunged into untold disaster, which was precipitated by the defalcation of its president, and prolonged by the panic of 1857. My father died suddenly in 1852, and Mr. Endicott joined Charles Greely Loring in an effort to extricate his estate from the disorder. From that time on there was no year in which Mr. Endicott was not actively studying the problems of railway traffic, until federal legislation, enacted in Roosevelt's time, made it unsafe, in Mr. Endicott's view, longer to hold railroad securities.

This experience, coupled with an inborn detestation of war, and the natural leaning of an importer and a Democrat towards the greatest practicable freedom of trade, promptly brought him into sympathetic touch with Richard Cobden, the father of the anti-corn-law agitation in England, the apostle of the British free-trade evangel, the negotiator of the epoch-making commercial treaty between England and France, when, in 1854, that statesman made his second tour of the United States in the interest of a group of English holders of securities in the Illinois Central Railroad. Mr. Cobden, with many friends

who followed his lead, was involved in the common disaster. He suffered in repute and in purse, and he died at the close of our Civil War, after noble service rendered in behalf of the struggling Union. In the Cobden Club, formed the next year, Mr. Endicott was made an honorary member, and with John Bright he maintained an intimate and friendly correspondence while they both lived.

The momentary success of the first Atlantic cable enterprise was announced late in 1858, but the enterprise was doomed to a long interval of coma before it reached its ultimate issue. Mr. Endicott had his own reasons for putting its claim to a rigid test. Doubters were many. Mr. Endicott sent a despatch to the bureau of Hovey and Company in Paris, conveying by cable an item of personal intelligence which could by no conceivable form of collusion have reached Paris at the time of its receipt in any other way, and that despatch hangs there framed to-day—silent witness to a fact having at that time very considerable import for the sender. An adventurous group of capitalists had taken measures to unite New York and Chicago with St. Petersburg, Paris and London, by means of electric wires strung on poles across Alaska, Bering Strait and northern Asia. Funds were in hand for the preliminary steps, surveys were practically complete, and the enterprise only awaited the failure of the submarine experiment that it might feel the vital spark.

*Quem, si non tenuit, magnis tamen excidit ausis!*

Though marked throughout by close attention to the routine of business, Mr. Endicott's life was not without its picturesque features. At one time he was condemned for months to absolute vacuity of mind—the penalty of overwork—and was directed to seek some region which mails and telegraphs did not invade. Only the polar zones would answer now, but at that time such a resort was offered by the drowsy current of the Nile. Weeks of listless drifting in a sumptuously equipped dahabieh restored his vigor and left him more a stranger to what was going on in the busy world than the deaf-mute of our day is permitted to be. The comparison is a fair one, for he was a long time treasurer of the Perkins Institution for the Blind and greatly interested in what he found there, and especially in the acquirements of Helen Keller, sometimes entertaining



her at his Beverly home. Friends had died, business ventures had gone wrong, a portion of his life had drifted away during his enforced period of occultation. Before leaving Egypt he had been presented at the sybaritic court of the Khedive, and had sipped coffee from his golden cups and shared a whiff from his amber-tipped chibouk. Few men not wedded to sea life had crossed the Atlantic oftener than he. Finding himself one year approaching at the Christmas season the neighborhood of Palestine, he thought it would be a pleasant memory to pass the yearly festival at what is claimed to be the Holy Sepulchre and to take part there in the prescribed observances of the hour. On arriving he found a party of Greek Church pilgrims engaged in a wrangle for precedence with a party of pilgrims of the Church of Rome, and it became so violent as to call for the intervention of Mussulman militia to preserve the peace!

The number and variety of groups with which Mr. Endicott kept himself in touch bear witness to the catholicity of his tastes. He was constant for thirty years in his attendance at the monthly dinners of the Saturday Club. Certainly it was no small compliment for a little club, made up of the very first characters — a club of which Dr. Holmes could say that "Emerson was the nucleus around which it gathered," a club of which Agassiz could say that "it had enlarged his view of life," a club at which every foreigner worth meeting who came to America was a guest, a club where Emerson "found his attitude mainly that of a listener" and which he looked to for his ideal of club life — "In our club no man shall be admitted who is not worth in his skin five hundred thousand. One of them I hold worth a million, for he bows to facts, has no impertinent will, and nobody has come to the end of his resources" — for such a club, "a focus of good-sense, wisdom and high patriotism, whence sprung many measures important to the country" — for such a club as this to invite one who had no claim to authorship, or statesmanship, or comradeship, but was a simple, unassuming business man, only qualified by keen native wit, a close touch with such careers while in the making as Whittier's, and Lowell's, and Judge Rockwood Hoar's, and Judge John Lowell's, by a very broad intelligence of what was passing in the world at large and a friendly hand for everybody — for such a club to invite him was the compliment of a lifetime.

He was a founder and a working member of Mr. Forbes' Loyal Publication Society. He was honored with an election as president of the New England Historic Genealogical Society, which he declined, and as president of the Boston Museum of Fine Arts, which he accepted after serving for a full generation as its indispensable first treasurer; and he was reckoned by the Massachusetts Institute of Technology as its wheel-horse — one of its earliest, its most active and its most untiring helpers. At the Massachusetts General Hospital and McLean Asylum he indulged himself for years in the luxurious munificence of a free bed or two, and for a quarter-century he served that charity in the onerous and exacting function of a State Director. When Governor Butler found himself constrained by his sense of public duty to dispense with his further service, and named a Director to succeed him, a vacancy by resignation was at once created, which could be filled by the Board without recourse to the executive conscience. To it he was elected, so that his service continued without interruption. In company with ex-Governor Long, and with an eminent practical builder, he was appointed by Governor Ames to the Commission of Three which supervised the State House Extension of 1889, and his exact system of accounting — he dispensed with all clerical aid, his own delicate handwriting serving him to the exclusion of secretary, typewriter and stenographer — has left on record at the State Capitol a lasting memorial of what was understood in the nineteenth century by devotion to public duty.

That the men who did the fighting should seek the fellowship of the men who stayed at home and did the financiering was an honor upon which both Mr. Forbes and he set a high value. But nobody perceives more keenly than the soldier what a terrible load the war-financier is bearing, nor what Sumner meant when he wrote to Fessenden that the next great battle was to be fought in Wall Street, nor what it means to the country if obligations are not promptly met and service-money promptly forthcoming, nor what a hopeless mob a great army becomes the moment it finds itself in need of food and clothing. Mr. Endicott was the last survivor of the honorary membership of the Loyal Legion of Massachusetts.

Mr. Endicott married, in 1856, Mrs. Annie Thorndike,

widow of John Frederick Nourse of Boston. She died in 1876, leaving him with two children.

It would be idle, in a paper of this kind, to attempt a catalogue of the public philanthropies and private charities with which he filled his life, and yet without this feature the picture is unfinished. Unpaid service seemed to be his highest privilege. He was one of those helpers who make a friend's predicament their own. Trusts and directorates and presidencies seemed to reckon themselves fortunate if they could secure his name. Many of them he filled for a generation. Two of these, to name no others, were the presidencies of the Suffolk Savings Bank and of the New England Trust Company. And when the time came for him to turn them over to less enfeebled hands, he found himself resigning them by dozens.

In stature Mr. Endicott was slight, his movements were quick and nervous — "alert in body and mind" — and his exceptionally little feet and hands were a constant reminder of the Huguenot extraction of his mother's kin. He was no indifferent French scholar. Born at the starting point, in time and place, of the New England Unitarian movement, Mr. Endicott never had affiliations with any other sect, and his will made a substantial addition to the trust funds of the Boston Young Men's Union and to the ministerial fund of the old First Church of Beverly in which he grew up and with which he was allied until, just before the war, he became a proprietor in King's Chapel at Boston. He was a Resident Member of this Society from March 8, 1906, until his death, contributing to the *Proceedings* two valuable papers of personal reminiscence, and constant to a degree in his attendance on our meetings until growing infirmity made it a burden for him to climb the stairs. Mr. Endicott died in Boston, November 7, 1914, and was buried at Beverly, where he retained through life a cherished summer home.

And so the old Commonwealth adds one more name to her list of worthies.

ALBERT THORNDIKE TO CHARLES FRANCIS ADAMS.

DEAR MR. ADAMS:

BOSTON, December 7, 1914.

Not one of the notices about William Endicott (that I have seen) has laid enough stress on the "personal" side of his character. It

is hoped that when the Massachusetts Historical Society memorial — which is the important record made — is written, this will be more strongly brought out. To those who knew him at all intimately, the delight of his personality as distinctly marked the man as did his public successes.

He was fundamentally of strong will, firm opinions and earnest, though in manner very simple and unassuming, almost mild, notwithstanding his ability to enforce well his purpose. His bearing was unassuming and absolutely democratic; he held himself the same before all men. Those who met him knew this; but those who had seen him often also knew him as one of never failing kindly humor and wit, one who quickly saw and seized the humorous side. A joke was never forced by him nor humor overplayed; but the point was lightly and spontaneously brought out in a characteristic way, or if brought out by another, gratefully appreciated. Even in talk of serious things, the wit and the smile were ready and often used. Notwithstanding all the work accomplished, this lighter vein was, with him, always near the top.

In his remarkable, tenacious and accurate memory were stored a host of anecdotes of the people he had met in his long and active life. Whether it was a statesman, a man of business, or even those in the humblest walks of life, what he had ever known of interest about them, he remembered. He would tell the stories well and wittily, but with exactness, and often minutely dated them, though they might be sixty or seventy years old. It was a delight to hear him reminisce; and though likely that part of the pleasure was in the manner of the telling, still it is wished that various of these tales, trivial but entertaining, and touching on so many sorts and conditions of men and covering so much time, could have been preserved. Such things were not for a formal paper; so his *Reminiscences*, written for the Historical Society, do not have them.

From his interest in grave subjects and the seriousness of his work, one might think of him as ponderous and solemn. Those who come after us will not know him, if they cannot see more of him than his achievements, his broad charity and kindnesses. With all this was the lighter side, the quick, quaint and gentle wit, the constant cheeriness (even in suffering), the love of the little brightnesses of life and the ability to joke (even when serious), all of which kept around him an atmosphere such as few are blessed enough to live in. Yours very truly,

ALBERT THORNDIKE.